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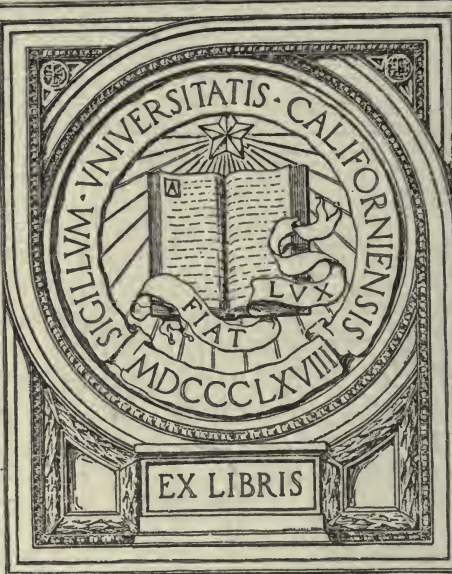
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OF

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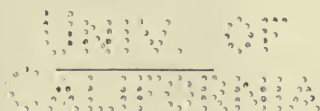
SCHOOL LAWS

OF THE

STATE OF WYOMING

In Force April 1, 1913

COMPILED BY
ROSE A. BIRD-MALEY
Superintendent of Public Instruction,
Cheyenne, Wyoming



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School Laws of Wyoming

Shall Have Free Access to State Offices—For What Purpose.

Sec. 83. The governor shall have free access to the office of any state officer for the inspection and examination of all books, papers, records and proceedings. [S. L. 1890-91, Ch. 95, Sec. 5.]

May Require Reports to Be Made to Him—When.

Sec 84. The governor, or either house of the legislature, may, when in the opinion of either of them, the public interest demands the same, require any state officer, commission or board of a state institution, to communicate in writing any information concerning any subject pertaining to such office, commission or board, as the case may be. [S. L. 1890, Ch. 5, Sec. 2.]

Custodian of Bonds.

Sec. 106. The secretary of state shall be the custodian of all bonds of state officers, excepting his own. If at any time the sureties or any of them upon any official bond shall die, remove from this state, become insolvent or from any other cause cease to possess the qualifications required by law, the secretary of state shall require the officer giving such bond to give a new bond with such sureties as are required by law. [R. S. 1887, Sec. 1687.]

Investments of Land Funds.

Sec. 125. All permanent funds arising from the sale of state lands and any permanent addition thereto. may, and whenever practicable, shall be invested by the treasurer of the state with the approval of the governor and attorney general, in bonds of the United States or of the state of Wyoming, or in bonds issued by school districts within the state or registered coupon county bonds of the state or registered coupon municipal bonds, issued by any corporate city or town in the state of Wyoming, or interest bearing warrants of his state. The interest only shall be used for the purpose for which the grant of lands was made. Provided, That all funds belonging to the state for public school purposes, the interest and income

of which only are to be used, shall be invested only in bonds issued by school districts or registered county bonds of the state or state sureties of this state or of the United States. [S. L. 1903, Ch. 30, Sec. 1.]

How Invested.

Sec. 126. Whenever in pursuance of any law of the state, authorizing such investment, the state treasurer shall propose to invest any of the permanent state land funds in bonds of any school district in the state, or registered bonds of any county in this state, he shall be and he is hereby authorized, if in his judgment it shall be desirable or necessary to do so, to offer and pay for any such bonds out of any such permanent funds, a premium for the same in such reasonable amount as shall be deemed proper and necessary to secure such bonds. Provided, That the treasurer shall not pay for any such bond a price in excess of their market value at the time of purchase. Such premium so paid to be thereafter returned to the permanent fund from which it shall have been taken out of the first interest moneys received on such bonds, until the permanent fund is entirely reimbursed for the amount of the premium so paid. [S. L. 1897, Ch. 67.]

SUPERINTENDENT OF PUBLIC INSTRUCTION.

General Duties.

Sec. 133. The duties of superintendent of public instruction shall be as follows: He shall file all papers, reports and public documents transmitted to him by the school officers of the several counties, each year, separately, and hold the same in readiness to be exhibited to the governor, or to any committees of either house of the legislature, and shall keep a fair record of all matters pertaining to the business of his office. He shall have a general supervision of all the district schools of the state, and shall see that the school system is, as early as practicable, put into uniform operation. He shall prepare and have printed suitable forms for all reports required by law and shall transmit the same, with such instructions in reference to the course of studies as he may judge advisable, to the several officers entrusted with their management and care. He shall make all further rules and regulations that may be necessary to carry the law into full effect, according to its spirit and intent, which shall have the same force and effect as though contained herein. [R. S. 1887, Sec. 3906.]

Disposition of Donated Books, Maps, and School Apparatus.

Sec. 134. One copy of all books, maps, charts or school apparatus, which may be received by the superintendent of

public instruction from publishers, inventors or manufacturers, shall be placed by him in the public library of the state. [R. S. 1887, Sec. 3907.]

Distribution of School Funds.

Sec. 135. On or before the 31st day of March in every year, if there shall be any money to the credit of the income fund, for the use of public schools, in the state treasury, including the rents of the unsold school lands, the state superintendent of public instruction shall distribute such income among the several counties of the state according to the number of children of school age in each, the same to be determined by reference to the last preceding annual reports furnished to the state superintendent of public instruction by the several county superintendents of schools. Such moneys so distributed shall be paid to the county treasurer of each county by the state treasurer, upon the requisition to that effect by the state superintendent of public instruction, which said requisition shall state the county entitled thereto, together with the amount, and the fund out of which it is to be paid; and the superintendent of public instruction shall at the same time notify each superintendent of schools that such distribution has been made; such requisition shall be accompanied by a warrant of the auditor upon the treasurer covering the amount of the requisition in each case, and the superintendent of public instruction shall file such requisition with the auditor and a copy of the same with the treasurer. Upon such distribution being made and said money being paid to the respective county treasurers, the county superintendent of schools in each county shall cause such money to be distributed among the several school districts in the county pro rata in the same manner and in the same proportion as the regular county school tax is required by law to be distributed. Provided, however, That any law with reference to the distribution of the county school tax which provides for a certain amount to be paid to each school district before the pro rata distribution of the balance is made shall not apply in the case of the distribution of said money; Provided, further, That no apportionment from said state fund shall be made to any school district for a year in which a school has not been maintained therein for at least three months. [S. L. 1895, Ch. 53, Sec. 1; R. S. 1899, Sec. 93.]

Salaries—Shall Deposit Fees.

Sec. 136. Until otherwise provided by law, the governor shall receive an annual salary of four thousand dollars; the secretary of state, state auditor, state treasurer, and superintendent of public instruction, shall each receive an annual

salary of three thousand dollars; and the salaries of any of said officers shall not be increased or diminished during the period for which they were elected, and all fees and profits arising from any of said offices shall be covered into the state treasury. [S. L. 1909, Ch. 54, Sec. 1.]

Shall Reside at Seat of Government.

Sec. 137. All officers hereafter elected to the offices mentioned in Section 136 shall reside at the seat of government, and shall keep their offices at the state capitol. [S. L. 1909, Ch. 54, Sec. 2.]

Attorney General Legal Advisor.

Sec. 145. The attorney general shall prosecute and defend all suits that may be instituted by or against the state of Wyoming, the prosecution and defense of which is not otherwise provided for by law, and he shall represent the state in all criminal cases in the supreme court, and shall defend all suits brought against the state officers in their official relations, except suits brought against them by the state. He shall be required to attend to the interests of the state in all suits, actions or claims in which the state is or may become interested in either the supreme court of the state, or in any of the United States courts. He shall be the legal adviser of all elective and appointive state officers, and of the prosecuting attorneys of the several counties of the state, and shall, when requested, give written opinions upon questions submitted to him by such officers, and by either branch of the legislature, when in session. He shall also, within thirty days next preceding the meeting of the legislature, make a report to the governor of the condition of affairs of his department, and in said report make such suggestions as shall appear to him calculated to improve the laws of the state, and shall communicate to the governor or either house of the legislature, whenever requested, any information concerning his office. It shall be the duty of the attorney general to pay over to the state treasurer all funds that may come into his hands by reason of the duties of his office. [S. L. 1899, Ch. 22, Sec. 5.]

Limitation of Expense.

Sec. 249. No state officer shall be authorized to create any expense of any kind or character as a charge against the state in excess of the amount expressly provided for his use as a contingent fund. Any officer creating an expense in excess of such amount shall be responsible for such expenditure under his official bond; Provided, further, That the various contingents must be made to cover the full period of two years

for which they are appropriated, and that any outgoing officer who shall not, when his term of office expires, have on hand the full sum of one-eighth of his entire contingent, to cover the period to the first day of the following April, shall be considered delinquent, and shall be held responsible as above provided. [S. L. 1899, Ch. 35, Sec. 3.]

Penalty.

Sec. 250. Any person or persons, or board, who shall violate any of the provisions of the preceding section, shall, upon conviction thereof, be deemed guilty of a misdemeanor, and shall be fined in the sum not to exceed two hundred dollars. [S. L. 1899, Ch. 35, Sec. 5.]

Receipts to Be Attached to Vouchers.

Sec. 251. When an appropriation is made by law as a contingent fund for any office or officer, or board, or for any other purpose, to be expended for the state, the officer or board having charge of such fund shall keep an account therewith, showing when, to whom, and for what purpose any portion of said fund has been expended; which account shall always be open to public inspection; and every officer or person presenting any voucher to any board for allowance, or to the auditor for payment, shall have fixed thereunto receipts for all moneys expended; and any and all claims failing to comply with this provision shall be rejected by the auditor, or any of said boards to which such claims shall be presented; if any officer or person shall make or present any voucher for a greater sum of money than was actually paid or expended for the purpose stated or indicated in or by such voucher, he shall upon conviction thereof, be deemed guilty of embezzlement of the amount so falsely included in such voucher in the excess actually paid or expended, and shall be imprisoned in the penitentiary not less than five years. [S. L. 1899, Ch. 35, Sec. 4.]

Contingent Fund.

Sec. 252. Whenever an appropriation is made as a contingent fund for the use of any state office, officer, board or commission to be expended for the state, the officer, board, commission or other agency having charge of such fund shall keep an accurate account thereof showing when and to whom and for what purpose any portion of said fund has been expended and when such expenditure is made as an incident to travel on business of the state, a statement as to the nature and purpose of such travel, which account shall always be open for public inspection. Every such officer, board, commission or other agency having charge of such fund shall file with

the secretary of state not later than the 30th day of November in even numbered years, a certified transcript of all items and explanations appearing upon the original expense vouchers theretofore filed with the state auditor for payment all of which shall be reconciled with the account of the state auditor at the close of business upon the date mentioned. [S. L. 1909, Ch. 125, Sec. 1.]

Publication of Accounts.

Sec. 253. It shall be the duty of the secretary of state to compile and publish in pamphlet form as a public document, all certified transcripts of accounts filed in his office pursuant to Section 252 for general distribution and to deliver a copy thereof to each member of the legislature on or before the first day of the next succeeding session. The cost of such publication shall be paid out of the fund appropriated for legislative printing, the number of copies not to exceed three hundred. [S. L. 1909, Ch. 125, Sec. 2.]

Penalty.

Sec. 254. Any state officer, or any member of any state board or commission who shall fail to comply with the provisions of the two preceding sections, shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars. [S. L. 1909, Ch. 125, Sec. 3.]

Fiscal Officers to Balance Accounts.

Sec. 260. All fiscal officers of the state shall balance their respective accounts at noon on the 31st day of March, and at noon on the 30th day of September in each year. [S. L. 1888, Ch. 54, Sec. 1.]

Annual Fiscal Reports to Governor.

Sec. 261. On or before the first day of November, annually, each fiscal officer of the state shall report in writing, to the governor, the condition of his department, as required by law, covering the period since the last report, and up to and including the 30th day of September. [S. L. 1888, Ch. 54, Sec. 3.]

Biennial Reports of State Officers.

Sec. 262. Biennially, on or before the 1st day of November, immediately preceding the meeting of the legislature, each and every state officer (except those mentioned in the last preceding section), and each and every commission or board of a state institution, shall report in writing to the governor of the state, the condition of his department, or its institution, cov-

ering the period of two years preceding and up to and including the 30th day of September immediately preceding the filing of such report. The reports thus required to be filed shall be in triplicate, one copy to be filed in the office of the governor, one copy for the use of the senate, and one copy for the use of the house of representatives. [S. L. 1890, Ch. 5, Sec. 1.]

Annual Salary Only Compensation.

Sec. 263. The officers of all state institutions shall each be paid an annual salary, to be fixed by law, and they shall receive no other compensation, perquisite or allowance whatever. [S. L. 1895, Ch. 79, Sec. 2.]

State Officers to Be Paid Monthly.

Sec. 264. Each state officer shall be paid his salary or compensation allowed by the constitution of this state or by law, in monthly installments, and the salary of each officer for each month shall become due and payable on the last day of each month upon the presentation of his account for the salary or compensation for such month, duly verified as prescribed by law. [S. L. 1895, Ch. 18, Sec. 1.]

Qualifications of Sureties.

Sec. 265. Each surety, when he shall sign an official bond, shall make affidavit that he is a resident of this state; that he is worth the amount to be secured by such bond, over and above all debts, liabilities and exemptions, and that the property named in such bond is situated in this state, which affidavit shall be attached to the bond and be sworn to before any officer authorized by law to administer oaths; Provided, That any surety upon any official bond, who shall wilfully, falsely and corruptly make affidavit as to any of the qualifications required of him, as such, shall be guilty of perjury, and upon conviction thereof, shall be imprisoned in the penitentiary of the state of Wyoming for a term of not exceeding ten years. [R. S. 1887, Sec. 1688.]

Bonds to Be Given Before Entering Upon Duties.

Sec. 266. No auditor or treasurer shall enter upon the duties of his office until he shall have given bonds, as hereinbefore specified. [R. S. 1887, Sec. 1690.]

Inventory of State Property.

Sec. 268. It is hereby made the duty of each state officer other than the state examiner, and each state board to furnish to the state examiner in the month of April of each year an exact and true inventory of all chattel property belonging to the state in his, her or its possession or under his, her or its

control on the 31st day of March of each year, which inventory so furnished shall give a description of the property, condition, for what purpose used, where situated and its cost. Such inventory to account for all property coming into his, her or its possession since the report last made as required by this section. [S. L. 1899, Ch. 62, Sec. 2.]

Deputies.

Sec. 269. The secretary of state, the state auditor, state treasurer, and state superintendent of public instruction, or each of them, may appoint a deputy to perform the duties of their respective offices, such state officers being responsible to the state for the acts of such deputies appertaining to such office. The board of charities and reform, the state board of equalization, and every other board composed of any or all of the state officers shall choose from among the deputies of the several state officers, a person to be clerk of such board, and any such deputy so chosen shall not receive any other or further compensation as clerk of any such board; his salary as deputy, as by law provided being in full for all services.* The same person shall not be chosen as clerk of any two of the following boards, to-wit: Board of charities and reform and board of equalization. [S. L. 1899, Ch. 35, Sec. 1.]

Salaries of Deputies.

Sec. 270. Such deputies shall each receive a salary of one hundred and twenty-five dollars per month and no other compensation** for any service rendered by them to the state; said salary to be payable monthly, commencing on the 1st day of April, A. D. 1899. [S. L. 1899, Ch. 35, Sec. 2.]

Shall Appoint Clerks of Boards—Compensation.

Sec. 271. Whenever pursuant to law, the state board of charities and reform shall appoint one of the regularly appointed and qualified deputies of state officers to act as clerk of said board, and whenever pursuant to law, the state board of equalization shall appoint one of the regularly appointed and qualified deputies of state officers to act as clerk of said board, In such case the deputy so chosen to act in said capacity shall receive such salary as may be determined upon by the board making the appointment, not exceeding three hundred dollars per annum, payable in equal monthly installments, in addition to his salary as a deputy state officer, as provided by law, which said salary as clerk shall be approved and paid from the funds at the disposal of said boards, for contingent expenses in

*See Ch. 74, S. L. 1909.

**S. L. 1909, Ch. 74, and S. L. 1911 state exceptions.

the same manner that other accounts coming under the jurisdiction of said boards are approved and paid; Provided, That no deputy state officer shall be eligible for appointment to both clerkships referred to in this section. [S. L. 1909, Ch. 74, Sec. 1.]

Restriction Upon Public Officers in Contracting.

Sec. 280. It shall not be lawful for any person, now or hereafter holding any office, either by election or appointment, under the constitution and laws of this state, to become in any manner interested, either directly or indirectly, in his own name or in the name of any other person or corporation, in any contract, or the performance of any work in the making or letting of which such officer may be called upon to act or vote. And it shall not be lawful for any such officer to represent, either as agent or otherwise, any person, company or corporation, in respect of any application or bid for any contract work in regard to which such officer may be called upon to vote. Nor shall any such officer take or receive, or offer to take or receive, either directly or indirectly, any money or other thing of value, as a gift or bribe, or means of influencing his vote or action in his official character; and any and all contracts made and procured in violation hereof, shall be null and void. [S. L. 1890-91, Ch. 25.]

Treasurer's Bond—Condition.

Sec. 281. The state treasurer and the treasurer of each county, city, town, school district, and any other public officer having the custody of moneys, shall be required to furnish a bond in the amount required by law, which bond shall be conditioned that he shall faithfully perform all of the duties of his office as prescribed by law, and that he will safely keep all moneys which may come into his hands by virtue of his office, that he will promptly pay over to the person or persons legally authorized to receive the same, all such moneys in the manner provided by law, and that he will deliver over to his successor in office all moneys held by him as such officer. Each of the said officers, and his bondsmen and sureties respectively, shall be responsible for the safe keeping and paying over according to law of all funds which shall come into his hands by virtue of his office. [S. L. 1899, Ch. 94, Sec. 1.]

Who May Be Sureties.

Sec. 282. The sureties and bondsmen on such official bonds shall be residents of the state of Wyoming, who shall duly qualify to own property in the state amounting in the aggregate to double the amount of the bond upon which they be-

come sureties. Provided, however, That any surety or guaranty company, duly qualified to act as surety or guarantor in this state upon executing such bonds, shall be accepted in lieu of such sureties. [S. L. 1899, Ch. 94, Sec. 2.]

Premium Payable—How.

Sec. 283. When the bond of the state treasurer or of the treasurer of any county, city, town or school district in this state shall be furnished by a guaranty or surety company, the premiums due such company for furnishing such bond shall be paid out of the public funds of said state, county, city, town, or school district, respectively; and there is hereby appropriated the sum of five hundred dollars per annum, or so much thereof as may be necessary, as a special contingent fund for the purpose of paying the premium upon the bond of the state treasurer. [S. L. 1899, Ch. 94, Sec. 3.]

Condition of Bond.

Sec. 284. All bonds required by Sections 281, 282 and 283 may be conditioned as follows:

"Whereas, The above bounden.....was..
.....to the office of.....
on the day of.....A. D.....

"Now, therefore, the conditions of this obligation are such that if the said bounden
and his deputies shall well and truly perform all the duties of his said office of.....as is or may be prescribed by law and shall with all reasonable skill, diligence, good faith and honesty safely keep and be responsible for all funds coming into the hands of such officer by virtue of his office; and pay over without delay to the person or persons authorized by law to receive the same, all moneys which may come into his hands by virtue of his said office; and shall well and truly deliver to his successor in office, or such other person or persons as are authorized by law to receive the same, all moneys, books, papers and things of every kind and nature held by him as such officer, the above obligation to be void; otherwise to remain in full force and effect."
[S. L. 1899, Ch. 94, Sec. 4.]

Sureties On Official Bonds—How Released.

Sec. 285. Any surety upon the bond of any state, county or municipal officer shall be released from further liability of such surety for such officer, by filing with the person or persons having authority to approve said bond, or with whom said bond is directed to be filed, a notice that said surety is unwilling longer to be security for such state, county or municipal

officer. When any notice shall be filed as aforesaid, notice thereof shall immediately be given to such state, county or municipal officer, who shall thereupon file within fifteen days another security to be approved as provided by law. If said state, county or municipal officer shall not in the manner aforesaid file such bond to be approved as aforesaid, the said office shall become vacant and the said vacancy shall be filled in manner as is now provided by law. If a new bond shall be given by any officer, as hereinbefore provided, then the former surety or sureties shall be entirely released and discharged from all liability incurred by such officer after the time of the approval of said new bond, and the sureties to the new bond shall henceforth be liable as therein provided, after the approval of said new bond as aforesaid. The officer, officers, board or official body where or with whom said original bond was filed shall have power to declare any office or offices vacant as hereinbefore provided; Provided, That no surety shall be released from further responsibility until the office shall be declared vacant or a new bond approved by the proper authority. [S. L. 1899, Ch. 9, Sec. 1.]

Court Officers May Give Surety Bonds—When—Expense.

Sec. 286. Any receiver, assignee, guardian, trustee, committee, executor, administrator or curator or other fiduciary required by law or the order of any court or judge to give a bond or other obligation as such, may include as a part of the lawful expense of executing his trust, such reasonable sum paid a company authorized under the laws of this state so to do, for becoming his surety on such bond, as may be allowed by the court in which, or a judge before whom he is required to account, on bonds of one thousand dollars or more, not exceeding one-half of one per cent. per annum; on bonds of less than one thousand dollars,, not to exceed the sum of five dollars. [S. L. 1899, Ch. 9, Sec. 2.]

Official Bonds in Surety Company—Expense.

Sec. 287. Any state, county, municipal or district officer required by law or the order of any state, county or municipal council, board or organization to give a bond or other obligation as such, may include as a part of the lawful expense of executing and performing the duties of his office, such reasonable sum paid a company authorized under the laws of this state so to do, for becoming his surety on such bond or obligation, and may pay such sum or expense from any contingent or other fund furnished by the state, county, or municipality or organization for the payment of the lawful expenses of said officer, or may upon proper presentation of a claim for such

sum or expense, have the same paid by any such state, county or municipal council, board or organization that ordered and directed the said bond or obligation to be furnished; Provided, That the cost of bonds and obligations of all state, county, municipal or other public officers shall not exceed the sum of one-half of one per cent. per annum on the amount of such bond or obligation. [S. L. 1899, Ch. 9, Sec. 3.]

Limitation on Expense of Bond.

Sec. 288. In all actions and proceedings wherein the parties thereto have furnished any bond, recognizance, undertaking, stipulation or other obligation, paying therefor to any company so authorized to do, a premium for such bond or obligation, such party, if entitled to recover costs in said action, shall be allowed and may tax and recover such sum paid such company for executing any bond, recognizance, undertaking, stipulation or other obligation therein not exceeding, however, one-half of one per cent. on amount of such bond, recognizance, undertaking, stipulation or other obligation on bonds of one thousand dollars or more during each year the same has been in force; on bonds less than one thousand dollars, not to exceed the sum of five dollars. [S. L. 1899, Ch. 9, Sec. 4.]

Board of Trustees.

Sec. 413. The government of the university shall vest in a board of nine trustees to be appointed by the governor, three, and only three, of whom shall at all times be residents of the county of Albany, together with the president of the university and the state superintendent of public instruction, as members ex-officio, as such having the right to speak, but not to vote. [S. L. 1890-91, Ch. 75, Sec. 3.]

Board—Who Members.

Sec. 436. The governor, the secretary of state, the state treasurer, the state auditor and the state superintendent of public instruction shall constitute and shall hereafter be known as the state board of charities and reform. [S. L. 1895, Ch. 34, Sec. 1.]

Secretary of Board.

Sec. 443. The superintendent of public instruction shall be secretary of the board, and shall keep a careful record of the transactions of the board in a substantial and bound book, to be kept for that purpose, and which shall be known as the records and proceedings of the state board of charities and reform; he shall countersign all papers, instruments, or documents approved, made, or directed by the board; he shall also,

for the board and under its direction, make a biennial report to the governor, during the month of December in each even numbered year, showing clearly and succinctly the condition of all institutions under the control or supervision of said board, whether general or direct, giving the number of inmates therein, their ages, sex, condition, religious belief, conduct, and all other matters pertaining thereto, and such report shall also contain such recommendations as the board may see fit to make to the governor, or the legislature, as shall tend to ameliorate the condition of the inmates of such institutions, that may tend to prevent crime, and as the claims of humanity and the public good may require. [S. L. 1903, Ch. 5, Sec. 1.]

School Land Board.

Sec. 602. The governor, secretary of state, state treasurer and superintendent of public instruction, being constituted a board of land commissioners by the provisions of section thirteen, article seven, of the constitution of the state, they shall, as such board, have the direction, control, lease and disposal of all lands heretofore or hereafter granted to the state for the support and benefit of public schools. Said board shall be officially known and designated as "the state board of school land commissioners," and shall have power and authority to take such official action, as may be at any time necessary, in making the selection of lands granted to the state for public school purposes, or to secure to the state the transfer and title of any such lands. [S. L. 1903, Ch. 78, Sec. 1.]

GENERAL PROVISIONS RELATING TO COUNTIES.

Chapter 38, Session Laws, 1911-

Classification of Counties.

For the purpose of fixing the compensation to be paid to and the fees to be charged by county and precinct officers, the counties of the state are classified as follows:

1. Counties having an assessed valuation of more than twelve million dollars shall be counties of the first class.
2. Counties having an assessed valuation of more than six million dollars and not exceeding twelve million dollars shall be counties of the second class.
3. Counties having an assessed valuation of six million dollars, or less, shall be counties of the third class.

Offices to be at County Seat—Records Public.

Sec. 1134. In counties of the first, second and third classes the clerk, sheriff and treasurer shall, without expense to such officers, be furnished with offices in the court house, or building used as such. Every sheriff, county clerk and county treas-

urer shall keep his office at the county seat of his county, and in the office provided by the county; if there be none provided, then at such place as the board of county commissioners may direct, and they shall keep the same open during the usual business hours of each day, Sundays and legal holidays excepted; and all books and papers required to be in their office, shall be open to the examination of any persons; and if any person or officer shall neglect to comply with the provisions of this section, he shall forfeit, for each day he so neglects, the sum of five dollars. [R. S. 1887, Sec. 1901; S. L. 1895, Ch. 76, Sec. 21.]

Bonds and Oaths.

Sec. 1135. Every county officer provided for by law shall, before entering upon the duties of his office, and within twenty days after the commencement of the term for which he was elected or appointed, execute and deposit his official bond, as prescribed by law, and every such officer shall, also within the same time, take and subscribe the oath of office prescribed by section twenty of article six of the constitution of Wyoming, before some officer authorized to administer oaths, which oath shall be endorsed on the back of his certificate of election or appointment, and shall be deposited with his official bond. [R. S. 1887, Sec. 1902.]

Time of Qualifying.

Sec. 1136. All county officers elected at any general election, shall qualify and enter upon the discharge of their respective duties upon the first Monday in January immediately following such general election. [R. S. 1887, Sec. 1903.]

Vacancies in County Offices—How Filled.

Sec. 1137. When a vacancy shall occur in the office of sheriff, county clerk, county treasurer, county and prosecuting attorney, or county commissioners, superintendent of schools, coroner, surveyor, road supervisor, assessor, justice of the peace, constable, or other county or precinct officer, any such vacancy shall be filled by appointment by the board of county commissioners in the county in which such vacancy exists. All such officers so appointed shall give bond, qualify and enter upon the discharge of their respective duties as by law required, and shall continue in the faithful discharge of such duties for the balance of the unexpired term of their respective predecessors in office. [S. L. 1890, Ch. 80, Sec. 51.]

Mileage—How Computed.

Sec. 1138. In all cases where a mileage fee or mileage expense is allowed to any state, county or precinct officer, it shall

not exceed the rate of ten cents per mile, for each and every mile actually and necessarily traveled in the performance of the duties of his office.

In determining the mileage, it shall be computed by the nearest practicable route, and the "nearest practicable route" shall be construed to mean where the route is by railroad, it shall be by the most direct railroad line; where the route shall be partly by stage or other conveyance, then the route shall be the most direct stage line, or other conveyance, to the nearest railroad station, and then by rail, as above provided. [S. L. 1897, Ch. 22.]

Transportation Expenses.

Sec. 1139. Whenever a county officer is allowed by law, mileage in the discharge of his duties, it shall be unlawful for him to claim, or for the board of county commissioners to allow, any amount for horse hire, livery or any other and different transportation expenses. [S. L. 1895, Ch. 92.]

Qualification of Sureties.

Sec. 1140. Sureties upon an official bond, must be residents of this state, and worth in the aggregate, double the amount to be secured by the bond, over and above all exemptions, debts and liabilities and each surety shall make an affidavit as to what he is worth, over and above all of his debts, liabilities and exemptions, which affidavit shall be endorsed on the bond. [R. S. 1887, Sec. 1912.]

Failure to Give New Bond Renders Office Vacant.

Sec. 1141. Whenever the board of county commissioners of any county shall require any new or additional bond to be given, as required by this chapter, it shall be the duty of the county clerk to immediately give personal notice thereof to the person required to give such bond, and if the bond so required be not given within twenty days after the receipt of such notice, it shall be the duty of the board of county commissioners to declare the office for which such bond is required to be given, vacant, and to cause such vacancy to be filled as provided by law. The person elected or appointed to fill such vacancy upon qualifying, as required by law, shall hold his office until the next general election in the county, and until his successor is duly chosen and qualified. [R. S. 1887, Sec. 1913.]

Officer Filling Vacancy to Give Bond.

Sec. 1142. Every person appointed to fill any vacant office, as required by law, shall, before entering upon the duties of his office, qualify and give bond in the same manner as

though he had been duly elected to the same office, and shall in all things be subject to the provisions of law relating to such office. [R. S. 1887, Sec. 1914.]

Perjury by Surety.

Sec. 1143. Any surety upon any official bond, who shall wilfully, falsely and corruptly make affidavits as to any of the qualifications required of him as such, shall be guilty of perjury, and upon conviction therefor, shall be imprisoned in the penitentiary for a term not exceeding ten years, and not less than one year. [R. S. 1887, Sec. 1915.]

Public Money to be Paid Into Treasury.

Sec. 1144. All county officers receiving money for any county in this state, shall pay the same into the county treasury of the proper county. [R. S. 1887, Sec. 1916.]

Officers to be Paid in Warrants.

Sec. 1145. All county officers of any county in this state are prohibited from paying themselves from money belonging to any county which may be in their hands, but shall receive pay for all services rendered to a county, in warrants, drawn upon the county treasurer by the board of county commissioners. [R. S. 1887, Sec. 1917.]

Official Year Defined.

Sec. 1146. The official year of all county and precinct officers shall commence on the first Monday of January every second year, except as otherwise provided by law. [R. S. 1887, Sec. 1918.]

Copies of Records as Evidence.

Sec. 1147. Copies of all documents, writs, proceedings, instruments, papers and writings, duly filed or deposited in the office of any county clerk or county treasurer, and transcripts from books of records or proceedings kept by any such officer, with the seal of his office affixed, shall be prima facie evidence in all cases. [R. S. 1887, Sec. 1904.]

Auditing Officer May Withhold Salary.

Sec. 1148. In case any officer of the state, or of any county or municipal corporation therein, having the custody of public funds, shall be a defaulter, or in case any public officer whose duty it is to pay into the treasury of the state, county or municipal corporation, any fees collected by him as such officer, shall fail at the time or times required by law to pay over such fees into the proper public treasury, the officer or officers, whose duty it shall be to audit and allow claims for salary of any such officer or to issue a warrant or

warrants, in payment of the same, shall have authority to withhold the salary due to such officer, until such defalcation, if any, shall have been satisfied, or until such fees so unlawfully retained by such officer shall have been properly turned over and paid into the proper public treasury; and in case the state examiner shall have determined any such defalcation to exist, or that any such fees have been improperly retained by any public officer, it shall be the duty of such auditing officer or board to withhold such salary until such defalcation shall have been satisfied, or such fees shall have been turned into the proper public treasury, or unless, or until, a court of competent jurisdiction shall by judgment or decree arrive at a different conclusion from that of the state examiner, and adjudge that no defalcation or failure to pay over fees existed. [S. L. 1895, Ch. 119, Sec. 1.]

Population—How Determined.

Sec. 1149. The number of inhabitants or population of a precinct for the purposes of fixing the compensation of justices of peace and constables provided by Sections 5180 to 5182, inclusive, shall be ascertained by a reference to the census thereof last taken by the United States, or this state. In precincts where the records of the census, as aforesaid, do not show the number of inhabitants or population, the presumption shall be, until overcome by satisfactory evidence to the board of county commissioners, that the population thereof is less than fifteen hundred. [S. L. 1895, Ch. 76, Sec. 22.]

Assessment—How Determined.

Sec. 1150. The assessed valuation of a county for the purposes of classification for compensation of its officers shall be ascertained by a reference to the assessment last made before the election or appointment of the county officer affected thereby. [S. L. 1895, Ch. 76, Sec. 23.]

Power to Appoint Deputies.

Sec. 1151. County officers may appoint such deputies, and may employ such assistants as they may deem necessary, but no such deputies or assistants shall be paid by the county, excepting when specifically provided for by law. [S. L. 1895, Ch. 74, Sec. 10.]

Officers Responsible for Acts of Deputies.

Sec. 1152. All county officers shall be responsible for the acts of their deputies and assistants, and shall be holden on their official bonds therefor. [S. L. 1895, Ch. 74, Sec. 11.]

Power of Deputies—Bonds.

Sec. 1153. All deputy county officers shall have the same power and authority as their principal, and all official acts performed by them shall have the same force and effect as if done by their principal. All officers appointing deputies and assistants may require from them a bond for their own protection, in such sums as they may see fit. [S. L. 1895, Ch. 74, Sec. 12.]

Powers and Compensation in Special Cases.

Sec. 1154. Whenever any county officer shall be required to perform the official duties of any other officer in this state, he shall for the time being have the same powers in respect to the duties of such office as are given by law to the officer whose duties he shall perform, and shall be entitled to receive the same compensation for his services. [R. S. 1887, Sec. 1906.]

Official Bonds Payable to State.

Sec. 1155. Every official bond of any county officer, where not otherwise provided by law, shall be payable to the state of Wyoming, and an action shall lie thereon to the use of any party aggrieved, in the name of the people. [R. S. 1887, Sec. 1907.]

Bonds of Revenue Officers.

Sec. 1156. The several boards of county commissioners of this state, at any regular or special meeting, shall have power, by an order entered of record, to require any county officer, whose duty it is to receive any of the revenues of the county, to give bonds, with sufficient sureties to the people of the state of Wyoming, conditioned as now required by law, in the penal sum of one and one-fourth times the amount of taxes collected, or revenues of any kind, coming into his hands as such officer. [R. S. 1887, Sec. 1910.]

Commissioners May Require New Bonds.

Sec. 1157. If at any time the sureties or any of them, upon any official bond shall die, remove from this state, become insolvent, or from any other cause cease to possess the qualifications required by law, the board of county commissioners shall require the officer giving such bond, to give a new bond, with such sureties as are required by law. [R. S. 1887, Sec. 1911.]

When Salaries to be Paid.

Sec. 1158. The salaries of county and precinct officers as provided for by law shall be paid in equal monthly installments by the county in which they serve, and shall be allowed at the

first regular monthly meeting of the board of county commissioners occurring after the rendition of such service; Provided, That in counties of the third and fourth classes the salaries of the county and precinct officers may be paid quarterly. [S. L. 1895, Ch. 76, Sec. 20.]

Removal of Officers.

Sec. 1159. Every justice of the peace or other county officer not liable to impeachment, shall be removed from office by the board of county commissioners of the proper county, if after proof submitted, they shall be satisfied that the said officer has been guilty of any palpable omission of duty as such officer, or has been guilty of wilful or corrupt oppression or partiality in the discharge of his official duties, or has demanded or received any pay for the performance of the duties of his office to which he is not entitled or for any other act which by statute is in violation of his official oath and bond. [S. L. 1899, Ch. 7, Sec. 1.]

Procedure in Removal.

Sec. 1160. The accusation shall be presented to the clerk of the proper county in writing and be subscribed and verified by the person making the same, whereupon the clerk shall immediately notify the officer so accused to appear before the board of county commissioners at the next regular meeting, provided the same be more than fifteen days from the date of such notice, and if less, at the second regular meeting thereafter. [S. L. 1899, Ch. 7, Sec. 2.]

Testimony—Vacancy, How Filled.

Sec. 1161. The manner of taking testimony shall conform to the provisions of the statutes as set forth in the justice code. If a vacancy be declared, the commissioners shall immediately proceed to fill the same as provided by law, unless notice of appeal be immediately given, and said appeal perfected as provided in case of disallowance of claims, provided the right to appeal to the district court shall extend to both parties. [S. L. 1899, Ch. 7, Sec. 3.]

Collector of Taxes.

Sec. 1183. The county treasurer of each county shall be, by virtue of his office, collector of taxes therein, and shall perform such duties in that regard as are prescribed by law; and the bond to be given by such treasurer, as above provided, shall cover any or all violation or violations of his duties as collector of taxes, and any or all failure or failures on his part to pay over to the proper person or persons any moneys by him received as collector of taxes, and any and all failure or fail-

ures of said treasurer to deliver to any person or persons authorized by law to receive the same, any books, papers or other things appertaining to his duties as collector of taxes. [S. L. 1890-91, Ch. 45, Sec. 3.]

Custodian of County Funds.

Sec. 1186. The county treasurer shall receive all moneys belonging to the county and state, from whatever sources they may be derived, and all moneys which may be directed by law to be paid to him. All moneys received by him for the use of the county, shall be paid out by him only on the orders or warrants issued by the board of county commissioners, as prescribed by law, except where special provisions for the payment thereof shall be otherwise made by law. [S. L. 1890-91, Ch. 45, Sec. 5.]

To be Legal Adviser of County Officers.

Sec. 1207. The county and prosecuting attorney, upon request of any county officer of his county, shall, without fee, give his opinion in writing upon all questions of law having reference to the duties of such officer, which may be submitted, and shall file and preserve in his office a copy of all such opinions. [R. S. 1887, Sec. 1895.]

SUPERINTENDENT OF SCHOOLS.

Session Laws, 1913. Chapter 40.

Sec. 1. **Must hold Teachers' Certificate.** No county superintendent of schools shall receive compensation out of any public fund for his services as county superintendent of schools until he has filed with the board of county commissioners a Wyoming teachers' certificate of as high a rank as first class, in full force and effect; and the said county superintendent of schools shall be required to have such certificate in full force and effect during his term of office to entitle him to compensation out of public funds.

Sec. 2. This act shall take effect and be in force from and after its passage.

Oath and Bond—Prohibited from Teaching.

Sec. 1296. There shall be in each organized county a superintendent of public schools, who shall, before entering upon the duties of his office, take the oath prescribed by the constitution and give bond to the state of Wyoming in the penal sum of five hundred dollars for the faithful performance of all duties required of him by law as such superintendent, to be approved by the board of county commissioners, and together with his certificate of election and oath, filed in the county

clerk's office; Provided, That no person shall at the same time hold the positions of county superintendent of public schools and teacher in any public school in his or her county. [R. S. 1887, Sec. 1898.]

Salary.

Sec. 1297. County superintendents of schools shall receive the following annual salaries: In counties of the first class nine hundred dollars, in counties of the second class seven hundred and fifty dollars, in counties of the third class six hundred dollars, and in counties of the fourth class five hundred dollars, together with their actual and necessary traveling expenses, while engaged in the discharge of their official duties, the account for which expenses, before being allowed, shall be stated in separate items, accompanied by vouchers, or receipts, for all items amounting to five dollars or more, and otherwise made conformable to the law. [S. L. 1901, Ch. 18.]

Duties.

Sec. 1298. The duties of the county superintendent shall be as follows: He shall on or before the fourth Monday of July in each year, transmit to the superintendent of public instruction a report containing an abstract of the several particulars set forth in the report of the district clerks, together with a statement of the financial affairs of his office, and such suggestions as he shall think proper, relative to the schools of his county; he shall distribute to the districts within his county such blank forms, circulars and other communications as may be transmitted to him for that purpose by the superintendent of public instruction. [S. L. 1907, Ch. 15, Sec. 3.]

Office and Records of County Superintendent of Schools.

Session Laws, 1913, Chapter 24.

Sec. 1. **Office at County Seat.** It shall be the duty of the board of county commissioners, in each county of the state of Wyoming, to provide an office for the county superintendent of schools at the county seat, suitably equipped for properly transacting the duties of the office of county superintendent, and the county superintendent shall keep his office open such days and parts of days as may be in his judgment for the mutual advantage of himself and his patrons.

Sec. 2. **Records.** It shall be the duty of the county superintendent of schools to keep on file in his office, a full and complete record of the official transactions of his office, including copies of all reports received by him in his official capacity and made by him to the state superintendent of public instruction.

Sec. 3. This act shall take effect and be in force from and after its passage.

Session Laws, 1913, Chapter 52.

Sec. 1. Clerk to Certify Numbers of Teachers. It shall be the duty of the clerk of the board of trustees of each school district, including high school district, to file with the county superintendent of schools of the county within which such school district lies, on or before the first day of July of each year, a certificate showing the number of teachers employed within said district during the preceding school year; Provided, That after the year 1913 every teacher for whom credit shall be claimed in such certificate must have been engaged in teaching in said district for at least six school months during said school year, or in conjunction with a predecessor shall have taught for said period; and provided, further, that no credit shall be claimed for a teacher in a grade school where the average number of pupils in attendance during the preceding school year has been less than six pupils per teacher, nor for a teacher in a high school where the average attendance has been less than ten pupils per teacher.

Sec. 2. Duty of County Superintendent. It shall be the duty of the said county superintendent to verify and correct said certificate and on or before the first day of August in each year to file with the county clerk a certificate showing the number of said teachers during the preceding school year in each of the school districts, including high school districts, in the county.

Sec. 3. That Section 7 of Chapter 106 of the Session Laws of 1911 be amended and re-enacted to read as follows:

"Section 7. County School Tax Limit. It shall be the duty of the board of county commissioners of each county to levy a general school tax upon all property within the county in an amount sufficient to raise three hundred dollars for each teacher within said county as certified to by the county superintendent of schools; Provided, That said levy shall not exceed three mills upon the dollar."

Sec. 4. That Section 1299, Wyoming Compiled Statutes of 1910, as amended by Section 1 of Chapter 90, Session Laws of 1911, be amended and re-enacted to read as follows:

"Section 1299. Apportionment of Taxes. On the first Monday of February in each year, commencing with the year 1914, the county superintendent of schools shall apportion the county school tax and all money in the county treasury belonging to the county school fund, including poll taxes, fines and forfeitures, among the several school districts, including high school districts, in proportion to the number of teachers within the respective districts during the preceding school year as determined by the certificate of the county superintendent

of schools filed with the county clerk; he shall record a statement of such apportionment in his office and shall also notify the county treasurer of the same; he shall thereupon immediately draw an order on the county treasurer, in favor of the treasurer of each school district for the amount due it from said funds, and transmit the same to the treasurer of the district, which draft the county treasurer shall pay to the treasurer of the school district upon presentation, properly endorsed."

Sec. 5. Supplementary Apportionment. That Section 1300, Wyoming Compiled Statutes of 1910, as amended by Chapter 90 of the Session Laws of 1911, be amended and re-enacted as follows:

"Section 1300. Should no apportionment of the school funds be made on the first Monday in February, as required in this chapter, the county superintendent of schools shall make an apportionment as soon thereafter as practicable, in the same manner as hereinbefore provided. He may also, at any time, make a supplementary apportionment of the money paid into the county school fund subsequent to the time of the first apportionment on account of taxes or poll taxes due for the preceding year, such apportionment to be made in the same manner as provided in Section 1299."

Sec. 6. All acts and parts of acts in conflict with this act are hereby repealed.

Sec. 7. This act shall take effect and be in force from and after its passage.

Session Laws 1913, Chapter 15.

Sec. 1. Duplicate Remittance Slips. It shall be the duty of county superintendents of schools and county treasurers when remitting funds to school district treasurers to advise the clerks of such districts of each and every remittance by issuing duplicate remittance slips giving date and amount of remittance, sending one with remittance to the district treasurer and one to the district clerk.

Sec. 2. This act shall take effect and be in force from and after its passage.

District Boundary Board.

Session Laws 1913, Chapter 42.

Sec. 1. Members and Duties The county superintendent of schools and the board of county commissioners shall constitute a board for laying off their county into convenient school districts, such board to be styled "The District Boundary Board." Said board shall divide the county into school districts, and may alter and change the boundaries of the dis-

tricts as formed from time to time as the convenience of the inhabitants of the aforesaid districts may require, and shall proceed to make such change, as in the judgment of the said board may seem wise, at any time when petitioned by a majority of the legal voters of all the districts whether organized and existing, or proposed which shall be affected by such division or change of boundaries. And the district boundary board shall abolish or join in a contiguous district any school district in which no school has been maintained for twelve consecutive months, and all funds to the credit of such district so abolished or joined to another district shall be returned to, and become a part of the general school fund of the county; Provided, That nothing in this chapter shall be construed as to prevent the district boundary board from joining any school district, having less than eight pupils, to any other school district lying contiguous thereto, if, in the judgment of the board, it will be for the benefit of the public schools so to join such districts.

Sec. 2. Chairman and Secretary The chairman of the board of county commissioners shall act as chairman of the district boundary board. The board shall be authorized to transact business as a board when the county superintendent and two members of the board of county commissioners are present. The county superintendent of schools shall act as secretary of the district boundary board and shall keep an accurate record showing the boundaries of all the districts in his county so established and organized and any revisions or changes in boundaries made by the said board.

Sec. 3. Notice to District Clerk. When the district boundary board shall have established a new district or shall have altered or changed the boundaries of any district or districts, the county superintendent shall promptly notify, in writing, the clerk of the district board in each of the districts so affected, giving in said notice the number of the district or districts affected and describing their boundaries.

Sec. 4. Corporate City in One District. Whenever the district boundary board shall establish a new district or change the boundaries of existing districts, such establishment or change shall be made so as to keep all territory, embraced in any corporate city or village, in one school district, but the district boundary board may include in any such school district territory not within such corporate boundaries; and said boundary board is hereby authorized to change without presentation of a petition, the boundaries of any school district or districts so that all the territory embraced in a corporate city or village shall be in one district.

Sec. 5. Appeal. A majority of the voters in any dis-

tract affected by the changed boundary, or a majority of such voters dissatisfied by the formation of any new district, shall have the right to appeal from the district boundary board to the state superintendent of public instruction, whose decision shall be final in the matter.

Sec. 6. Funds of New Districts. Whenever the district boundary board shall have formed or established a new district from districts already legally organized, the school board of such newly organized district may draw the public school funds for paying teachers or other necessary legal school expenses from the school treasury of the district from which it was separated until such a time as the newly organized district shall receive its proper apportionment of school moneys and taxes. In like manner, any district which is established from two or more districts may draw the proper school funds for payment of teachers or other necessary legal school expenses from the treasury of the districts to which the said new school district formerly belonged.

Sec. 7. Sections Repealed. Sections 1301 and 1927 of the Compiled Statutes of 1910, and all other acts and parts of acts inconsistent with the provisions of this act, shall be, and are hereby repealed.

Sec. 8. This act shall take effect and be in force from and after its passage.

Dismiss Incompetent Teachers—Visits.

Sec. 1302. The county superintendent shall have the general superintendence of the schools of the county, and shall visit each school at least once in each term, and shall have power to recommend for dismissal all teachers he may find to be incompetent; Provided, That before any teacher shall be dismissed it shall be the duty of the superintendent to specify charges, in writing, against said teacher, and shall file the same with the board of trustees of the school district wherein said teacher is employed, and upon such charges a hearing shall be had in the presence of the board, and if in their judgment the charges as preferred are well sustained, then the said board may proceed to dismiss said teacher. [S. L. 1901, Ch. 56.]

Failure to Make Report—Penalty.

Sec. 1303. Should he fail to make his reports, as required in this chapter, he shall forfeit the sum of one hundred dollars, and suit shall be brought on his official bond for the collection of the same, with damages, by the prosecuting attorney. [R. S. 1887, Sec. 3915.]

Supervisory and Appellate Authority.

Sec. 1304. He shall see that the annual report of the clerks of the several school districts in his county are made correctly and in due time, and shall hear and determine all appeals from the decision of the district boards. [R. S. 1887, Sec. 3917.]

County Teachers' Institutes.**Session Laws 1913, Chapter 44.**

Sec. 1. Section 1305 of the Wyoming Compiled Statutes 1910, is amended and re-enacted to read as follows:

"Section 1305. **County Teachers' Institutes.** The county superintendent of schools shall hold annually at some convenient place a county teachers' institute for the instruction and advancement of teaching. Said institute shall continue not less than four days nor more than eight days. The county superintendent shall preside at all meetings and shall determine the time and place for holding such meetings. It shall be the duty of all teachers actually engaged in teaching or having either a written or verbal contract to teach in such county, to attend such institute, unless they shall have a written excuse signed by the county superintendent; and the state superintendent of public instruction may, at his discretion, upon the written complaint of the county superintendent, revoke the certificate or refuse to grant a certificate to any teacher who refuses to attend the county institute held in accordance with the provisions of this act; Provided, That a certificate signed by a regularly practicing physician of the inability of any such teacher to attend such institute, or the affidavit of two citizens of the county that said teacher was unable to attend such institute because of storms, floods or other conditions beyond the control of said teacher, shall operate to exempt said teacher from the provisions of this act. Each teacher who attends institute shall be given by the county superintendent, a certificate setting forth the number of days of said institute such teacher shall have been in attendance, and the board of directors shall withhold the salary of any teacher who shall not produce the said certificate of attendance or an excuse from the county superintendent for the time that he should have been in attendance at the institute. It shall be the duty of each district board to pay all teachers who attend such institute the same salary per day that would have been paid had the same amount of time been expended in teaching. It shall be the duty of the county boards of commissioners in each county to appropriate annually, two hundred and fifty dollars (\$250.00) in counties having an assessed valuation of more than five million dollars (\$5,000,000.00); two hundred dollars

(\$200.00) in counties having an assessed valuation of more than two million five hundred thousand dollars (\$2,500,000.00); one hundred and fifty dollars (\$150.00) in counties having an assessed valuation of more than one million four hundred thousand dollars (\$1,400,000.00) and not exceeding two million five hundred thousand dollars (\$2,500,000.00), for the payment of such instructors or lecturers as the county superintendent may employ to assist in holding the county institute, and no part of the amount appropriated shall be paid out by the county commissioners to the lecturers or instructors or any other expense incurred by the county superintendent for county institute purposes unless ordered by the county superintendent.

Sec. 2. Joint Institutes. Two or more counties may, at the discretion of their county superintendents, unite for the purpose of holding a joint annual institute at such place as may be agreed upon by such superintendents, and all the provisions of Section 1305 shall apply to such joint institute.

Sec. 3. This act shall take effect and be in force from and after its passage. S. L. 1913, Ch. 34.]

May Appoint Deputies.

Sec. 1306. In counties of the first, second and third class, the county superintendent, by and with the consent of the board of county commissioners, may appoint deputy county superintendents, to be paid by the county a compensation of three dollars per diem while actually engaged as such deputy. Provided, however, That in no case shall the amount so appropriated by any county for such deputy exceed the sum of one hundred and fifty dollars, in any one year. [S. L. 1909, Ch. 46, Sec. 1.]

THE COURSE OF STUDY FOR ELEMENTARY SCHOOLS.

Session Laws 1913, Chapter 53.

Sec. 1. State Superintendents to Prepare Course of Study. It shall be the duty of the state superintendent of public instruction to prepare a course of study for the elementary schools of the state, embodying therein the following subjects:

Reading.

Spelling.

Writing.

United States History.

Language and Grammar.

Numbers and Arithmetic.

History and Civil Government of Wyoming.

Humane Treatment of Animals.

Nature Study and Geography.

Physiology and Hygiene, with special instruction on the effects of alcoholic drinks and narcotics.

Agriculture.

Sec. 2. **Duty of the County Superintendent.** It shall be the duty of the county superintendent of schools to cause the subjects prescribed in the course of study to be taught in the public schools of his county and the work of instruction to be pursued as planned therein; Provided, That a principal or superintendent of schools in any district who has supervision over three or more teachers may amend and change the course of study prescribed by the state superintendent of public instruction in such manner as will, in his judgment, apply more directly to the local conditions of such district. Except elimination of the prescribed subjects.

Sec. 3. **City Superintendent and Others Report Failure.** It shall be the duty of the several city superintendents of schools in the state and of the clerk and board of directors of all other educational institutions receiving aid from the state, to report to the county superintendent of schools any failure or neglect on the part of the board of trustees of any school district, or the board of directors of any educational institution receiving aid from the state, to make proper provision for the teaching of those branches prescribed in the state course of study issued by authority and through the office of the state superintendent of public instruction in any or all of the schools or other educational institutions under their charge, or over which they have jurisdiction.

Sec. 4. **Eligibility to Share in Annual Apportionment.** The county superintendent shall apportion annually his county's share of the state school land income fund only to those districts in which the subjects prescribed in this act have been taught as required, the county superintendent determining from the annual report of the district officers the eligibility of the districts to share in the apportionment.

Sec. 5. **Repeal.** Sections 1963 and 1964, Compiled Statutes of Wyoming, 1910, and all other acts and parts of acts inconsistent with the provisions of this act, shall be, and are hereby, repealed.

Sec. 6. This act shall take effect and be in force from and after its passage. [S. L. 1913, Ch. 53.]

COUNTY LIBRARIES.

Tax to Be Levied—Amount.

Sec. 1316. When the county commissioners of any county have received proper and sufficient guarantees, whether in the form of conveyances, or bonds of citizens, or associations or corporations, that a suitable place will be permanently furnished for the protection and use of a public library as a condition precedent to their own action, under the provisions of this chapter, it shall be their duty to levy annually a tax of not less than one-eighth of a mill nor more than one-half of a mill on the dollar on all taxable property in the county, for the establishment and maintenance of a public library to be located at the county seat of such county. And whenever a suitable place is furnished without rent for the use of any county library, the directors thereof shall have the power to pay such incidental expenses as may be necessary in keeping in repair and properly janitord, lighted, heated and cared for, the place so furnished, and to pay the expense thereof out of the taxes levied hereunder. [S. L. 1907, Ch. 45, Sec. 1.]

How Tax Levied and Collected.

Sec. 1317. The tax authorized by the preceding section shall be levied and collected at the same time and in the same manner as other county taxes of such county are levied and collected, and the whole amount so collected shall be set apart and shall be designated the county library fund; Provided, That nothing herein contained shall be construed into authorizing any additional levy to that now authorized by law. [S. L. 1907, Ch. 45, Sec. 2.]

Board of Directors—Appointment.

Sec. 1318. The control and use of said library fund shall be entrusted by the county commissioners of any county to three competent and responsible citizens of the county, to be appointed by said commissioners and to constitute a board of directors for this purpose. As soon as appointed they shall incorporate as a body, with an appropriate name. They shall serve without compensation and the treasurer of the board shall give bonds, to be approved by the county commissioners, for the faithful performance of his duties. It shall be their duty, upon notification from the county commissioners that a library fund is at their disposal, to expend so much of the said fund as shall be found available, in the purchase of books, furniture, salaries of librarian and assistants, and incidental expenses for the library herein provided to be established; Provided, That the books so purchased shall be of a kind best

suited to inform the mind and improve the character of the reader; that neither sectarian nor professional books shall be purchased out of such fund, and that not exceeding twenty-five per centum of such fund so expended shall be used for the purchase of works of fiction; the said trustees appointed by the county commissioners shall hold office, one-third for one year, one-third for two years, and one-third for three years from the 1st day of July following their appointment, and at their regular meeting shall cast lots for the respective terms; and annually thereafter the county commissioners shall, before the 1st day of July of each year, appoint, as before, one director to take the place of the retiring director, who shall hold office for three years and until his successor is appointed. The county commissioners may remove any director for misconduct or neglect of duty. [R. S. 1887, Sec. 686; S. L. 1907, Ch. 45, Sec. 3.]

Donations—Location of Library—Librarian.

Sec. 1319. The said board of directors is authorized to receive donations of real estate, money or books, in aid of the establishment or maintenance of the library, for which said directors are hereby made responsible, and, as trustees of the donor, shall carefully observe the conditions accompanying every such gift, and if any incorporated literary or library association shall donate to such county library, property equal in value to one thousand dollars, or shall annually contribute to its resources a sum exceeding two hundred and fifty dollars in money, such association shall be entitled to name one person to be an associate member of said board of trustees, who shall have all the rights, privileges and responsibilities of the other members thereof. When no provision can be made for otherwise furnishing the library with the necessary accommodations for its books and other publications, without expense to the library fund arising from the public tax, it shall be the duty of the board of school trustees or directors of the school district embracing the county seat, to provide accommodations for them in the best situated school building over which such board of school trustees have control. The board of directors shall also appoint a competent person to have the immediate charge of the library, with such duties and compensation for services as they shall fix and determine. [S. L. 1907, Ch. 45, Sec. 4.]

Libraries to Be Free.

Sec. 1320. Every library established and maintained under the provisions of this chapter shall be free to all residents of the county to which it belongs, on the condition that such

persons comply with such rules and regulations for the safety and management of the library as the board of directors shall prescribe, which rules and regulations may be enforced by legal proceedings in any court of competent jurisdiction; Provided, That in the management of the library, the best possible provision shall be made for the convenient use of the books thereof by the residents of such county residing out of the town wherein the library is situated. [S. L. 1907, Ch. 45, Sec. 5.]

Board of Directors—Use of Books.

Sec. 1321. It shall be the further duty of such board of directors to keep a careful record of all its doings, with duplicate vouchers for all expenditures, one set of such vouchers to be kept in the office of the secretary of the board of directors, the other to be filed with the county commissioners at the end of each calendar year. The board of directors shall also, at the end of each year, report to the county commissioners all the important transactions for the previous twelve months, specifying in each report the sum of money received from the county library fund, also the moneys and property received from other sources, the use and disposition made of such moneys and other property, the number of books and other publications then in the library, the number of books and other publications added by purchase and gift during the year, as well as the number of books lost and missing, the number, title and cost of books, maps and charts purchased out of the county library fund, the number of books loaned out, with the general character of such books, the number of persons who have drawn books from the library during the year, and the number of visitors thereto, together with such other facts deemed of public interest, a copy of which report shall be furnished by the clerk of said board of county commissioners for publication in at least one paper of general circulation in the county. Only persons resident of the county shall be allowed to obtain a loan of books from the library, and in every case when books are lost or destroyed by such parties, or withheld from the library by such persons, then in that event such persons shall be responsible for the loss of such book or books, and the value of said book or books may be recovered by proper action at law in any court of competent jurisdiction in the county. [S. L. 1907, Ch. 45, Sec. 6.]

PUBLIC INDEBTEDNESS.

Indebtness in Excess of Constitutional Limit, Void.

Sec. 1353. Any indebtedness created after February 21, 1899, in excess of the limitation of the constitution, by any

county, city, town, village, or other sub-division of the state of Wyoming in any current year, defined as from the first Monday in January of one year to the first Monday in January of the next year ensuing, in excess of that authorized by the constitution of the state and for the payment of which there are no available revenues, during such current year, shall as against such county, city, town, village, or other sub-division of the state, be void and of no effect, but any officer who shall participate in creating such indebtedness, and the sureties on his official bond, shall be personally liable to the holder, or holders, of such indebtedness as fully as if such indebtedness had been contracted for his individual benefit. [S. L. 1899, Ch. 89.]

SCHOOL DISTRICTS—ORGANIZATION AND GOVERNMENT.

Notice of Formation of New District.

Sec. 1926. Whenever a school district shall be formed in any county, the county superintendent of schools in such county shall, within fifteen days thereafter, prepare a notice of the formation of such district, describing its boundaries and stating the number thereof, and appointing a time and place for the district meeting. He shall cause the notice, thus prepared, to be posted in at least five public places in the district, at least ten days before the time appointed for such meeting; and when a joint district is derived from portions of two or more counties, the county superintendent of each county, from which any portion of the new district is taken, shall unite in giving the customary notices and the new district shall be numbered by the superintendent of the county having the highest number of districts. [R. S. 1887, Sec. 3918.]

First Election of Trustees—Officers of District.

Sec. 1928. The qualified electors of a school district, when assembled in accordance with the notice required in section nineteen hundred and twenty-six, shall organize by appointing a chairman and a secretary who shall act as judges of election. They shall then by ballot elect three trustees possessing the qualifications of electors of said district, and the name of each elector shall be recorded by the secretary, and they shall hold their office until the next succeeding annual district election and until their successors are elected and qualified. The said trustees shall constitute a board of directors for the district and shall, as soon as they are qualified, choose from their number a director, treasurer and clerk of the district. [S. L. 1890, Ch. 77, Sec. 1.]

Oath of Directors.

Sec. 1929. All directors of the board shall, within ten days after their election, appear before some justice of the peace or other person qualified to administer oaths, and take an oath for the faithful performance of their duties and in accordance with law, and shall, without delay, transmit a copy of said oath in writing to the county superintendent of schools. [S. L. 1890, Ch. 77, Sec. 2.]

Annual Election of Trustees—District Officers.

Sec. 1930. Except as otherwise provided by law, there shall be elected in each organized school district meeting on the first Monday in May of each year, one trustee, who shall hold his office for three years and until his successor is duly elected and qualified. If, for any cause, the annual election should not be held at the regular annual meeting, a special meeting may be held for that purpose if so specified in the notice for said special meeting. The trustees together shall constitute a board of directors for the district, and shall, immediately after they are qualified, elect one of their number a director, treasurer and clerk of the district. At the first regular annual election after a school district is organized there shall be three trustees elected, one to hold his office for the term of three years, and one to hold his office for the term of two years, and one for the term of one year and until their successors are elected and qualified, and thereafter at each such annual meeting there shall be one trustee elected as aforesaid, for the term of three years, as successor to the outgoing member of the board, and all of said trustees herein mentioned shall possess the qualifications of any elector in said district, and shall be elected by ballot, and the name of each elector voting for trustee shall be recorded by the secretary of the meeting, and such record shall be filed with the district clerk. [S. L. 1890, Ch. 77, Sec. 3.]

Election of Trustees Where Number Increased to Six.

Sec. 1931. In all school districts in this state containing a population of one thousand or more, the number of trustees may be increased to six at any annual school election held hereafter, if the majority of the electors at such annual meeting, upon taking a vote by ballot, so decide. The electors shall then proceed by ballot to elect one trustee for one year, one trustee for two years, and two trustees for three years. At all annual elections held thereafter there shall be elected two trustees, who shall hold their office for three years, or until their successors are elected and qualified. [S. L. 1897, Ch. 38.]

School District Seal.

Sec. 1932. It shall be the duty of every board of school directors so increased to six members to provide, at the expense of their district, and for said district, a seal, upon which shall be engraved the words "School District No., County, Wyo.," stating the number of the district, and the county in which it is situated. The seal shall be in possession of the clerk of the district. It shall be affixed to all communications or notices required by law to be sent or published by such school board, and to all warrants drawn upon the treasurer of the district. [R. S. 1887, Sec. 3923.]

School District to Be Body Corporate.

Sec. 1933. Each school district formed under the provisions of this title is hereby declared to be a body corporate by the name and style of "School District No....., in the County of.....and State of Wyoming"; and in that name it may hold property and be a party to suits and contracts. [R. S. 1887, Sec. 3925.]

Regular Meetings of District.

Sec. 1934. The fiscal year shall end on the 30th day of April and the annual school meeting of each school district shall be held on the first Monday of May in each year. And, when present, the director and clerk shall preside as chairman and secretary, respectively, of such meeting. [S. L. 1907, Ch. 15, Sec. 1.]

Powers of District Meeting.

Sec. 1935. The qualified electors of the district, when assembled, shall have power:

1. To appoint a chairman and secretary, in the absence of the regular officers.
2. To adjourn from time to time, as occasion may require.
3. To determine the number of schools which shall be established in the district, and the length of time each shall be taught.
4. To fix the site of each school house, taking into consideration in doing so, the wants and necessities of the people of each portion of the district.
5. To vote such sum of money as the meeting shall deem sufficient for any of the following purposes: To supply any deficiency in the fund for the payment of teachers; to purchase or lease a suitable site for a school house, or school houses; to build, rent or purchase a school house, or school

houses, and keep in repair and furnish the same with the necessary fuel and appendages; for procuring libraries for the schools, books and stationery for the use of the board and district meetings; and for the payment of all other contingent expenses of the district.

6. To direct the sale or other disposition to be made of any school house, or the site thereof, and of such other property, real or personal, as may belong to the district; and to direct the manner in which the proceeds arising therefrom shall be applied.

7. To vote a sum not exceeding one hundred dollars in any one year, to procure a district library, consisting of such books as they may direct any person to procure.

8. To delegate any and all powers specified in the foregoing subdivisions to the district board; Provided, That the district board shall not have power to vote or raise money as provided in subdivision five.

9. To transact generally such business as may tend to promote the cause of education in accordance with the provisions of this and succeeding chapters. [R. S. 1887, Sec. 3927; S. L. 1888, Ch. 72, Sec. 12; S. L. 1890, Ch. 77, Sec. 5; S. L. 1903, Ch. 63; S. L. 1905, Ch. 91, Sec. 1.]

Objects in Voting Money to Be Designated.

Sec. 1936. In voting money, the district meetings shall designate the respective objects for which the same is raised, and the amount to be raised for each object, and the aggregate amount shall be assessed and collected, as provided by law. [R. S. 1887, Sec. 3928.]

Meeting May Adopt Rules of Order.

Sec. 1937. They may adopt rules of order, not incompatible with the provisions of this chapter and the instructions of the superintendent of public instruction, for the government of district meetings, and may alter and change the same from time to time as occasion may require, and may prescribe the manner of taking the sense of the meeting upon any question; Provided, That the last specification shall not apply to the election of officers. [R. S. 1887, Sec. 3929.]

Transfer of School Funds.

Sec. 1938. In all cases where there are moneys belonging to the school house fund, remaining in the hands of the district treasurer of any school district, and the board of directors thereof are satisfied that such moneys are not required to build a school house or school houses, in said district, or repair or furnish the same, such moneys may be transferred and accredited to the teachers' fund, and applied to the payment of

teachers. And the board may also in like manner transfer a surplus of the teachers' fund to the fund for building school houses when required. [R. S. 1887, Sec. 3930.]

Manner of Conducting Election of Trustees.

Sec. 1939. At the regular district meeting of school districts in each year, at the time now provided by law for the election of trustees, such district meeting shall be opened by proclamation of the trustees, at the hour named in the published or posted notice for the meeting. And the order of business at such meeting shall be:

1. Reading and consideration of the report of the clerk and treasurer.

2. Voting of money to be raised by special tax.

3. Election of trustee or trustees.

4. Miscellaneous business.

[S. L. 1888, Ch. 73, Sec. 1.]

Qualification of Electors.

Sec. 1940. All school district elections shall be carried on as provided by law, and the qualifications of voters at such elections shall be the same as at any other election. and in addition thereto, such voter shall be in possession of a tax receipt, from the tax collector of the county in which such election is being held, showing that such voter is a property owner in such school district; Provided, however, That the tax qualification mentioned in this section shall apply only to questions of special school tax appropriations of money and bonding such school district. [S. L. 1890, Ch. 80, Sec. 179; R. S. 1899, Sec. 536; S. L. 1905, Ch. 68, Sec. 1.]

Directors Shall Qualify.

Sec. 1941. Said directors shall qualify in the manner prescribed for directors elected upon the formation of a new school district; and in case they neglect or refuse to do so they shall be subject to the same penalty. [R. S. 1887, Sec. 3934; R. S. 1899, Sec. 538.]

Meeting of Board.

Sec. 1942. The board of directors may hold such regular, special or adjourned meetings as they may from time to time determine. [R. S. 1887, Sec. 3935.]

Powers and Duties of District Board.

Sec. 1943. The district board shall make all contracts, purchases, payments and sales, necessary to carry out every vote of the district, for procuring any site for a school house, renting, repairing or furnishing the same, and disposing thereof, or for keeping a school therein, and performing such other

duties as may be delegated to them by the district meeting. [R. S. 1887, Sec. 3936.]

Members of Board May Administer Oaths.

Sec. 1944. The trustees of school districts are hereby severally authorized to administer oaths within their respective counties in any and all matters pertaining to their respective districts and the business thereof, where an oath is or shall be required by law. [S. L. 1897, Ch. 4.]

Authority of Board to Remove Scholars.

Sec. 1945. The district board shall have power to admit scholars from adjoining districts, and remove scholars for disorderly conduct; and when scholars are admitted from other districts the district board may, in their discretion, require a tuition fee from such scholars. [R. S. 1887, Sec. 3937.]

When Board to Advertise for Bids.

Sec. 1946. Whenever any school house is to be built or any repairs, addition or improvement costing more than two hundred dollars, made to any school house or district property, the board of directors of the district shall advertise for bids for such work, and in all cases contract the same to the lowest responsible bidder. [R. S. 1887, Sec. 3938.]

Settlement With Treasurer—Report to District Meeting.

Sec. 1947. They shall, from time to time, examine the books and accounts of the treasurer, and make settlement with him, and shall, at each regular meeting of the district, present to the same a full statement of the receipts and expenditures of the district and such other matters as may be deemed important. [R. S. 1887, Sec. 3939.]

Visiting Committee.

Sec. 1948. They shall appoint a committee from their own body to visit the respective schools of the district monthly, and to aid the teachers in establishing and enforcing rules for the government of schools, and see that the teachers keep a correct list of the pupils, the time which they attend school the branches of learning which each is studying, and such other matters as may, in the opinion of the board, tend to promote the welfare of the school. [R. S. 1887, Sec. 3940.]

Auditing and Payment of Claims.

Sec. 1949. They shall audit and allow all just claims against the district, and the directors shall draw an order for all demands thus audited, on the district treasurer. [R. S. 1887, Sec. 3942.]

Special District Meetings—Requisites of Notice.

Sec. 1950. They shall, upon the written request of five legal voters of the district, or whenever they deem it expedient,

call special meetings thereof; but in all such cases, the notice of such meeting shall clearly state the precise object for which it is called, and time and place at which it is to be held. [R. S. 1887, S ec. 3942.]

Vacancy—How Filled.

Sec. 1951. In case a vacancy in any district school board shall be caused by the resignation, death or otherwise of any one of its members, such vacancy shall be filled by appointment of the district board, and said appointee may legally hold such office until the next annual school election following said appointment, but no longer, and at the annual election said vacancy shall be filled in the same way and manner as authorized by law for the annual election of school trustees. [S. L. 1901, Ch. 58.]

Bond of District Treasurer.

Sec. 1952. The district treasurer shall give bonds to the district in such penalty and with such sureties as the board of the county commissioners shall direct and approve, conditioned for the faithful application of all money which may come into his hands by virtue of his office; Provided, Said bonds shall not exceed one and one-quarter times the amount of all the school moneys handled by the treasurer in any one year. Said penalty may be increased from time to time as the interests of the district may require. The said bond, after being approved by the board of county commissioners, shall be filed with the county treasurer, and it is hereby made unlawful for the county treasurer to pay over any sums of money out of the school fund to any district treasurer until such bond shall have been approved and filed as herein provided, and in case of a breach in the conditions of said bond, suit shall be brought thereon by the board of county commissioners of the county in which the district is situated, for the benefit of said district. [R. S. 1887, Sec. 3945.]

Establishment of High Schools.

Sec. 1953. The county superintendent and district board of directors may determine whether a school of a higher grade shall be established in the district, the number of teachers to be employed, and the course of instruction to be pursued therein, until the meeting of the teachers' institute, provided for by law, at which time the institute shall determine the studies to be pursued in all schools of like grade in the state; and the superintendent of public instruction shall have the same power to carry into effect the determination of the institute, as is provided in other cases; and the board may erect, for the purpose, one or more permanent school houses, and shall cause such classification of the pupils as they may deem

necessary; but in selecting the site for such school house or school houses the permanent interest and future welfare of the people of the entire district shall be consulted. [R. S. 1887, Sec. 3946.]

Note—This refers particularly to the district high school, and not to the high school as formed in accordance with S. L. 1905, Ch. 67.

Separate School for Colored Children.

Sec. 1954. When there are fifteen or more colored children within any school district, the board of directors thereof, with the approval of the county superintendent of schools, may provide a separate school for the instruction of such colored children. [R. S. 1887, Sec. 3947.]

Employment and Payment of Teachers.

Sec. 1955. The district board shall employ all teachers necessary for the schools of the district, and pay them by draft on the treasurer. [R. S. 1887, Sec. 3948.]

Free to All Children—Compulsory Education.

Sec. 1956. The public schools of each school district of the state shall at all times be equally free and accessible to all children resident therein over six and under the age of twenty-one years, subject to such regulations as the district board in each district may prescribe. Every parent, guardian or other person in this state having control or charge of any child or children between the ages of seven and fourteen years, inclusive, shall be required to send such child or children to a public, private or parochial school, or to two or more of these schools, each school year, during the entire time that the public school shall be in session in the district in which the pupil resides. Provided, That exceptions may be made in the following cases: (1) Invalids or others to whom the school room might be injurious, may upon receipt of a physician's certificate be excused by the district board. (2) Pupils to whom the provisions of this act might work a hardship may be excused by the written consent of the district board when a request stating the reason for such excuse is presented by the parent or guardian to the district board. (3) Pupils who for legal reasons have been excluded from the regular schools and no provisions made for the schooling of such children. [S. L. 1909, Ch. 31, Sec. 1.]

Truant Officer—Duty.

Sec. 1957. It shall be the duty of the sheriff of each county and of every deputy sheriff and constable within their respective precincts and of any truant officer, if there be any,

to see that the provisions of sections 1956, 1957 and 1958 are complied with, and when from personal knowledge, or upon reports or complaints of any resident or teacher of the county, or precinct, or district under his supervision, he believes that any child subject to the provisions of said sections is habitually tardy or absent from school, he shall immediately give written notice to the parent, guardian or custodian of such child that the attendance of such child at school is required by law, and if within five days after such notice such parent, guardian or custodian does not comply with the provisions of this act, then such officer shall make and file complaint against such parent, guardian or custodian of any such child before a justice of the peace of the proper county, or the district court, for a violation of said provisions. Provided, That only one notice shall be required as to any child in any one year. Any such parent, guardian or custodian of any such child who shall violate the provisions of said sections, and after receiving such notice as aforesaid, and shall fail to comply with the provisions thereof, shall be adjudged guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than five dollars and not more than twenty-five dollars for any one offense, to which may be added in the discretion of the court, imprisonment in the county jail of not more than ninety days for any offense after the first. Any district board of a school district in which there is located a city or town of more than 2,500 inhabitants, may appoint a regular truant officer to carry out the provisions of said sections, who shall be paid out of the district treasury such sum as shall be provided in the order for his appointment, not exceeding, however, the sum of four dollars for each day of actual service. [S. L. 1907, Ch. 93, Sec. 2.]

Enumeration—Delinquent Pupils.

Sec. 1958. On the first day of school in each school district it shall be the duty of the clerk thereof to furnish to the sheriff or constable within the proper precinct, a list of the names of children of compulsory school age within the district who are enumerated on the regular enumeration lists. At the close of the first week of school in such district, it shall be the duty of each teacher therein to send to the county superintendent of schools a complete list of pupils attending his or her school, which list shall be immediately forwarded by said county superintendent to the proper sheriff, deputy sheriff, constable or truant officer, in order that the provision of this and the two preceding sections may be duly executed; and it shall be the further duty of the teacher, or principal, if there be any, when a pupil has been absent for three consecutive days, for which absence there has been, in the teacher's judg-

ment, no good reason assigned, or when a pupil is habitually absent or tardy, to make written report to the truant officer of the district concerning such delinquency, and it shall then be the duty of said officer to proceed according to section 1957. [S. L. 1909, Ch. 31, Sec. 2.]

Offenses Defined—Penalty.

Sec. 1959. Any person who shall use insulting and abusive language to and toward any teacher in or about any public school house, or who shall wilfully disturb any public school or district meeting, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined in any sum not less than five dollars, and not exceeding one hundred dollars.

Any person who shall wilfully break, cut, deface, despoil, injure, damage or destroy any school property, or who shall cut, mark, write or otherwise place or put on, or cause to be placed or put upon, any school property, any language or pictures or figures or signs of an obscene character, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall pay a fine of not less than five dollars, nor more than one hundred dollars. The said fines shall be paid into the treasury of the school district in which the offense was committed. [S. L. 1888, Ch. 72, Sub-Div. 2, Secs. 1-2.]

School Week and Month Defined.

Sec. 1960. Five days shall constitute a school week, and twenty days a school month; and it shall be understood that school is not to be kept in operation on Saturdays or any holiday, but if a holiday fall upon a day which would otherwise be a school day, it shall be counted as though taught. [S. L. 1909, Ch. 159.]

School Officers Shall Not be Agents for School Supplies—Penalty.

Sec. 1961. Neither the state superintendent, or any person in his office, nor any county superintendent, nor school district officer, nor any officer or teacher connected with any public school, shall act as agent or solicitor for the sale of any school books, maps, charts, school library books, school furniture, apparatus or stationery, or furnish any assistance to, or receive any reward therefor, from any author, publisher, bookseller or dealer, doing the same. Every person violating this section shall forfeit not less than fifty nor more than two hundred dollars for each offense, and be liable to removal from office therefor. [S. L. 1888, Ch. 72, Sub-Div. 3, Sec. 2.]

State Treasurer Shall Keep School Fund.

Sec. 1962. The state treasurer shall keep a separate fund to be known as the "school fund," and all moneys appropri-

ated for school purposes shall be kept in such fund. [S. L. 1888, Ch. 72, Sub-Div. 3, Sec. 3.]

Discrimination on Account of Sex or Religious Belief Prohibited.

Sec. 1965. In the employment of teachers in the public schools in this state, no discrimination shall be made in the question of pay on account of sex, nor on account of the religious belief of the applicant for the position of teacher, when the persons are equally qualified, and the labor is the same. [S. L. 1890-91, Ch. 21.]

Examinations Required.

Sec. 1966. No certificate shall be granted hereafter to any person to teach in the schools of Wyoming, who shall not pass a satisfactory examination in physiology and hygiene, with special reference to the effects of alcoholic drinks, stimulants and narcotics upon the human system. [R. S. 1887, Sec. 3972.]

Note—This is interpreted not to apply to those who have shown that efficiency to render them eligible to secure certificates without examination.

Teacher's Report.

Sec. 1967. It shall be the duty of the teacher of every district school, or graded school, to make out and file with the district clerk, at the expiration of each term of the school, a full report of the whole number of scholars admitted to the school during such term, distinguishing between male and female, the names of such scholars, the number of days each scholar attended the same, the aggregate number of days of attendance of said schools, the text-books used, the branches taught and the number of pupils engaged in the study of each of said branches. Any teacher who shall neglect or refuse to comply with the requirements of this section, shall forfeit his or her wages for teaching such school, at the discretion of the district board. [R. S. 1887, Sec. 3973.]

Refusal to Deliver Records to Successor—Penalty.

Sec. 1968. Every school district clerk, or treasurer, who shall neglect or refuse to deliver to their successors in office, all records and books, belonging severally to their offices, shall be subject to a fine not exceeding five hundred dollars. [R. S. 1887, Sec. 3974.]

Employment of Counsel.

Sec. 1969. In all cases where suits may be instituted by, or against, any of the school officers contemplated or created by law, to enforce any of the provisions herein contained,

counsel may be employed, if necessary, by the officer instituting the suit, and the expense of the suit shall be borne by the district, county or state in whose name, or against whom, the same may be instituted. [R. S. 1887, Sec. 3975.]

Collection and Disposition of Fines.

Sec. 1970. All fines, penalties and forfeitures provided by the school laws may be recovered by action in the name of the people of the state of Wyoming, for the use of the proper school district or county, and when they accrue, belong to the respective districts or counties in which the same may be accrued; and the treasurer of such districts, and the county commissioners of such counties are hereby authorized to receive and apply the proceeds of such forfeiture as the interest of the permanent fund is now, or may hereafter be, applied. [R. S. 1887, Sec. 3976.]

Officer Failing to Pay Over Money—Penalty.

Sec. 1971. Any officer or person collecting or receiving any fines, forfeitures or other moneys and refusing and failing to pay over the same as required by law, shall forfeit double the amount so withheld, and interest thereon at the rate of five per cent. per month during the time of so withholding the same. [R. S. 1887, Sec. 3977.]

Effect of Change in County Boundaries on School Districts.

Sec. 1972. If by any act of the state legislature changing the boundary line or lines of any county or counties, or forming new counties from counties already formed, any legally organized school district is or has been separated from the county to which it then belonged and is or has been joined to another county, the members of the school board of such school district so separated from one county and joined to another county, shall hold their respective offices until the next annual school election following said change in county boundaries; and until such annual school election said school board may draw the public school funds for paying teachers, or other necessary legal school expenses from the school treasury of the county to which said school district formerly belonged, and in the same way and manner as said board would have drawn and expended said public moneys had no change in county boundaries been made. [R. S. 1887, Sec. 3978.]

State Treasurer Authorized to Receive Donations for Schools.

Sec. 1973. Whenever the state of Wyoming shall be entitled to receive any moneys or funds from the United States of America, or from any other source or authority, to be expended for the benefit of the public schools of the state, or

held or in any manner applied for their benefit, the state treasurer is hereby authorized to receive and receipt for such moneys or funds, and to make such application and use of the same as may be required by law. Should such moneys or funds be donated to the state, and should the act of donation require such moneys or funds to be applied or held, or used in a particular manner, they shall be so applied. [R. S. 1887, Sec. 3981.]

Liability of Treasurer for School Money.

Sec. 1974. The state treasurer shall faithfully account for all moneys or funds received pursuant to the foregoing section, and he and his sureties upon his official bond shall be liable for any failure to so account for such moneys or funds. [R. S. 1887, Sec. 3982.]

School Board May Establish Manual Training Schools.

Sec. 1975. The school board of any district in the state shall have power to establish and locate industrial and manual training schools, in connection with the public schools of said district. [S. L. 1895, Ch. 88.]

Humane Treatment of Animals Taught.

Sec. 1976. There shall be taught in the public schools of Wyoming, in addition to the other branches of study now prescribed, a system of humane treatment of animals, as embodied in the laws of Wyoming; such instruction to consist of not less than two lessons of ten minutes each per week. The principal or teacher of every school shall certify in his or her reports that such instruction has been given in the school under his or her control. [S. L. 1901, Ch. 8.]

DISTRICT OFFICERS AND THEIR DUTIES.

Director to Preside at Meetings and Countersign Orders.

Sec. 1977. The director, when present, shall preside at all meetings of the board of the district, and countersign all orders on the treasury for the payment of money. [R. S. 1887, Sec. 3951.]

How Drafts and Orders Drawn.

Sec. 1978. All drafts and orders drawn on the district treasurer, as required in the foregoing section, shall specify the funds on which they are drawn, and the use for which the money is designated, and shall be signed by the district clerk. [R. S. 1887, Sec. 3952.]

By Whom District to Appear in Actions.

Sec. 1979. The director shall appear in behalf of his district in all suits brought by or against the same; but when

he is individually a party, this duty shall be performed by the clerk. [R. S. 1887, Sec. 3953.]

Duties of Clerk.

Sec. 1980. The clerk shall record all the proceedings of the board and of the district meetings in books to be kept for that purpose, and report in writing to the county superintendent of schools the name of the director and treasurer immediately after they are chosen or elected, and he shall preserve copies of all reports made to the county superintendent, and shall file all papers transmitted to him, by school officers or other persons, pertaining to the business of the district, and shall sign all drafts, warrants and orders drawn by him. [S. L. 1890, Ch. 77, Sec. 4.]

Clerk to Certify Debt Limit.

Sec. 1981. The clerk of each school district of each county shall endorse a certificate upon every bond or evidence of debt issued pursuant to law, that the same is within the lawful debt limit of such school district, and is issued according to law. He shall sign such certificate in his official character. [S. L. 1890-91, Ch. 43, Sec. 2.]

Clerks Shall Keep Accounts.

Sec. 1982. The district clerk shall keep an accurate account of all the expenses incurred by the district, and shall present the same to the district board, to be audited and paid as herein provided, out of the school fund. [R. S. 1887, Sec. 3955.]

Notice of District Meetings.

Sec. 1983. The district clerk shall give ten days previous notice of all regular and special meetings of the district, herein authorized, by posting up a written notice in three different places therein, and shall furnish a copy of the same to the teachers of each school in the district, to be read once in the presence of the pupils thereof. [R. S. 1887, Sec. 3956.]

Duty—District Clerk.

Sec. 1984. The district clerk shall immediately after the annual school meeting and not later than the fourth Monday in May in each year, submit a report to the county superintendent for the past year ending April 30th next preceding.

1. Of the number of schools taught in such district, the number of days each scholar attended the same, and the aggregate number of days of attendance of said school respectively, as certified by the teachers of the several schools of such district.

2. The number of schools and the branches taught in each.
3. The number of pupils in each school, and of each sex.
4. The number of teachers employed in each school and the average compensation of each per month.
5. The number of days the school has been taught, and by whom.
6. The average cost of tuition for a pupil, per month, in each school.
7. Books used in each school.
8. The number of volumes in the library of each school.
9. The aggregate amount paid teachers during the year, the source from which the same was received, and the amount of teachers' fund in the hands of the treasurer.
10. The number of district school houses and the cost of each.
11. The amount raised in the district by tax for the erection of school houses, and for other purposes authorized by law, and such other information as he may deem useful. [S. L. 1907, Ch. 15, Sec. 2.]

Failure to Make Report—Penalty.

Sec. 1. **Failure to Make Report—Penalty.** Should the clerk fail to file his report, as above directed, he shall forfeit the sum of twenty-five dollars, and shall be liable to make good on his official bond, all loss resulting to the district for such failure, and it shall be the duty of the prosecuting attorney to bring suit in both cases upon complaint by the county superintendent of schools, whose duty it shall be to make the complaint.

Sec. 2. This act shall take effect and be in force from and after its passage. [S. L. 1913, Ch. 92.]

Note—Local authorities may, at their discretion, require this bond.

Duties of the Treasurer—Publication of Report.

Sec. 1986. The treasurer shall have the custody of all moneys belonging to the district, and shall pay out the same upon the order of the clerk, countersigned by the director; and shall keep an account of the receipts and expenditures thereof, in a book provided for that purpose. He shall cause to be published in some newspaper of general circulation in the county wherein such school district is situate, on the first week of July in each year, a full and true report of the receipts and disbursements of said district for the year next preceding such report. [R. S. 1887, Sec. 3959.]

Teachers' Fund.

Sec. 1987. The moneys for the payment of teachers shall be called the "teachers' fund," and the treasurer shall keep distinct and separate accounts with them; and no warrant for money shall be paid by the treasurer which does not specify the fund on which it is drawn, and the specific use to which it is to be applied. [R. S. 1887, Sec. 3960.]

School House Fund.

Sec. 1988. The school house fund shall consist only of taxes collected in the district; and all other school moneys belonging to the district shall go to the teachers' fund, and shall be applied to no other use except to pay the wages of school teachers in the district. [R. S. 1887, Sec. 3961.]

Treasurer to Receive District Money.

Sec. 1989. The district treasurer shall apply for, and receive all money apportioned to the district, by the county superintendent, when notified of said apportionment. [R. S. 1887, Sec. 3962.]

Treasurer to Render Statement on Request.

Sec. 1990. The district treasurer shall render a statement of the finances of the district as shown by the records of his office, at any time when required by the district board. [R. S. 1887, Sec. 3963.]

Flag to Be Displayed on School House.

Sec. 1991. It shall be the duty of the trustees, at the expense of such district, in each school district in the state of Wyoming, to cause the American flag to be placed in a proper and suitable manner upon each school house, flag staff or tower, in such respective school districts in the state of Wyoming. And they shall cause said flag to be hoisted upon each of said school house or school houses, flag staff or tower, in such respective districts, during the time when school shall be in session. [S. L. 1903, Ch. 83, Sec. 1.]

Annual Enumeration—Children.

Sec. 1992. It shall be the duty of the board of trustees of each school district in this state to cause to be made during the month of April in each year a full and true enumeration of all children of school age, to-wit: those between the ages of six and twenty-one years, in their respective districts. Such enumeration shall be in duplicate and in such form as may be prescribed by the state superintendent of public instruction, and shall set forth and state the name, age, sex and residence of each child enumerated, and the same shall bear a certificate

signed by all or a majority of the trustees of such school district to the effect that it has been examined by the board of trustees of such district and found to be according to the best judgment and belief of the subscribers a full, true and correct enumeration of all the children of school age in their district. One of the duplicate copies of said enumeration shall be filed by the clerk of the school district with the other papers and records of the district in his custody and the other shall by said clerk be transmitted to the county superintendent of schools of his county on or before the fourth Monday of May in each year. [S. L. 1909, Ch. 41, Sec. 1.]

Employ an Enumerator.

Sec. 1993. The board of trustees of each district shall, if in its judgment it is necessary so to do, have power to employ a suitable person or persons for such time as may be actually necessary to make such enumeration for such district and return the same to the said board; such person so employed shall before commencing the making of such enumeration take, subscribe and file with the district clerk an oath in writing to the effect that he will faithfully, diligently, truly and to the best of his skill and ability perform his duty as such enumerator. [S. L. 1903, Ch. 91, Sec. 2.]

False Enumeration—Penalty.

Sec. 1994. Any trustee of any school district or any enumerator employed to make or assist in making the enumeration for any district who shall knowingly and wilfully make any false enumeration of the children of school age in such district or who shall certify to the correctness and truthfulness of any such enumeration knowing the same to be false, incorrect and untrue, shall be guilty of a misdemeanor and on conviction thereof shall be fined not less than ten dollars nor more than one hundred dollars or be imprisoned in the county jail not less than ten days nor more than thirty days, or by both such fine and imprisonment, at the discretion of the court. [S. L. 1903, Ch. 91, Sec. 3.]

Failure to Enumerate—Penalty.

Sec. 1995. In the event that the board of trustees of any school district should fail, neglect or refuse to make or cause to be made such enumerations as hereinbefore provided for in the event that the clerk of any district shall fail, neglect or refuse to transmit to the county superintendent of schools on or before the fourth Monday in May of each year the duplicate copy of the enumeration of his district as hereinbefore provided, then and in either of such cases it is hereby made the

duty of the county superintendent of schools to cause such enumeration to be made on or before the third Monday in June following at the expense of the school district, and to that end the said superintendent shall have all the power hereinbefore conferred upon the board of trustees for that purpose, and for the purpose of paying the expense of such enumeration the said superintendent is hereby authorized and directed to issue to the person making such enumeration an order upon such school district for the amount due such person and upon presentation of such order it shall be the duty of the director and clerk of such district to issue a warrant upon the treasurer of the district for such amount. Provided, however, That in the event that such enumeration shall be made because of the failure, neglect or refusal of the clerk of the district to transmit a duplicate copy of an enumeration which had been made, then and in such case the said clerk shall be liable to his school district for the cost and expense of the enumeration made by the county superintendent, and the said district may, by an action at law recover of and from such defaulting clerk the cost thereof, together with costs and attorney's fees. Provided, further, That if such enumeration by the county superintendent be rendered necessary because of the neglect or failure or default of any members of the board of trustees in the performance of the duties by this or the three preceding sections enjoined upon them, then and in such case such defaulting members shall be jointly and severally liable to the school district for such cost and expense; and the same, together with costs and attorney's fees, may be recovered by the district in an action at law from such defaulting members of the board. [S. L. 1909, Ch. 41, Sec. 2.]

County Superintendents—Duty—Report.

Sec. 1996. It shall be the duty of the county superintendent of schools to compile the said reports of the enumeration of children of school age in the several school districts of his county reported to him as hereinbefore provided and therefrom to ascertain and determine the number of children of school age in his county, and at the time of making his annual report to the state superintendent of public instruction he shall include in such report a statement of the number of children of school age in his county as shown by such enumeration. [S. L. 1903, Ch. 91, Sec. 5.]

Distribution of State School Funds.

Sec. 1997. It shall be the duty of the county superintendent of schools in distributing to the several school districts of his county the funds or moneys apportioned and distrib-

uted to his county for school purposes by the state superintendent of public instruction. Provided, however, That no portion of the funds apportioned to any county by the state superintendent of public instruction for school purposes shall be apportioned by the county superintendent of schools to any district for the year in which a school has not been maintained for at least three months. [S. L. 1903, Ch. 91, Sec. 6.]

PUBLIC KINDERGARTEN.

Power of Trustees to Establish Kindergarten.

Sec. 1998. The board of trustees of any school district in this state shall have power to establish and maintain free kindergarten schools in connection with the public schools of their district, for the instruction of children residing in such district and between the ages of four and six years, and shall establish such courses of training, study and discipline and such rules and regulations for the government of such kindergarten schools as said board may deem advisable; Provided, That the cost of establishing and maintaining such kindergarten schools shall be paid from the special school fund of said school district, and the gross sum to be so expended by the said board for such kindergarten schools shall be annually fixed and determined by the qualified electors of such district at the annual meeting of such electors. [S. L. 1895, Ch. 50, Sec. 1.]

Shall Be Part of School System—Teachers.

Sec. 1999. The said kindergarten schools shall be a part of the public school system and governed as far as practicable in the same manner and by the same officers as is now, or hereafter may be provided by law, for the government of the public schools of this state; Provided, however, That teachers of the kindergarten schools shall be the holders of certificates or diplomas from some reputable institution for the training of kindergarten teachers, and shall pass such other examination and possess such other qualifications as may be required by the board of trustees of the district employing them. [S. L. 1895, Ch. 50, Sec. 1.]

Law Not Changed in Reference to Apportionment.

Sec. 2000. Nothing in this chapter shall be so construed as to, in any manner, change the law, as it now exists, with reference to the taking of the census of the school population, or the apportionment of the state and county school funds among the several counties and districts in this state. [S. L. 1895, Ch. 50, Sec. 1.]

How Carried Into Effect.

Sec. 2001. That for the purpose of carrying into effect the provisions of this chapter, it shall be lawful for the qualified electors of any school district in the state at the annual meeting held under the provisions of existing law, to vote such sum of money as may be necessary to establish and maintain such kindergarten schools, during the school year next following such meeting, such sum in the aggregate not to exceed one mill upon the dollar of the valuation of the property in the district, as determined by the next preceeding annual assessment thereof for the purposes of taxation, the same to be certified, levied, collected and disbursed in the same manner as is now provided by law with respect to the special school funds of the several school districts in this state. [S. L. 1895, Ch. 50, Sec. 2.]

FREE TEXT BOOKS.**Text Books in Public Schools.**

Sec. 2002. The board of school directors in city or county are hereby empowered, and it is made their duty, to purchase all text-books necessary for the schools of such city, town or district; and they are further authorized to enter into contract, as hereinafter provided, with the publishers of such books for a period of years, not to exceed five; Provided, That the contract prices of such books shall not exceed the lowest price then granted to any dealer, state, county, township, school district, or other individual or corporation in the United States, to be determined as hereinafter provided; and Provided, further, That such contract shall guarantee to such district any further reduction that may be granted elsewhere during the life of such contract. Said boards are hereby empowered to purchase, as a book of reference for use in their schools, the History of Wyoming, in three volumes, of which C. G. Coutant is the author, and "The Sabbath as an American War Day," in one volume, of which W. P. Carroll is the author; Provided, That the price paid for the said work shall not exceed the price paid therefor by subscribers generally. Provided, That no school trustee or officer of the district shall be interested in any way, directly or indirectly, in the sale of school supplies in the district in which he is a director. [S. L. 1901, Ch. 38.]

Publishers Must File Bond.

Sec. 2003. Before any publisher of school books shall be permitted to enter into contract with any school district under the provisions of this chapter, he shall file with the state

superintendent of public instruction, to be approved by him, a good and sufficient bond in the sum of two thousand to twenty thousand dollars, which amount shall be fixed by the state superintendent of public instruction, for the faithful performance of the conditions of such contracts, and the observance of the requirements of this chapter, and such publisher shall also file with the state superintendent of public instruction, a sworn statement of the lowest prices for which his series of text-books are sold anywhere in the United States; and a failure to file such bond and sworn statement of prices shall be a good and valid defense on the part of the district against payment for any books that may be sold by such publisher prior to the date of filing such bond and sworn statement of prices; and all such contracts to which such publisher is a party made prior to filing such bond and sworn statement of prices, shall be null and void. [S. L. 1899, Ch. 29, Sec. 2.]

Books—Paid for from Public School Land Income Fund.

Sec. 2004. The books to be purchased under the provisions of this chapter shall be paid for by the directors of the different school districts of the state, out of the public school land income fund, when the same shall be distributed to such districts annually. [S. L. 1899, Ch. 29, Sec. 11.]

Books Paid for by Order on District Treasurer.

Sec. 2005. For the purpose of paying for school books, the school district officers may draw an order on the district treasurer for the amount of school books ordered. [S. L. 1899, Ch. 29, Sec. 3.]

Orders—From What Funds Paid.

Sec. 2006. The district treasurer shall pay orders drawn by school district officers for the purpose of school books out of any funds in his hands belonging to the district, except the money belonging to the teachers' fund. [S. L. 1899, Ch. 29, Sec. 4.]

Publisher Becoming Member of Trust Nullifies Contract.

Sec. 2007. Any contract entered into under the provisions of this chapter with any publisher who shall hereafter become a party to any combination or trust for the purpose of raising the price of school text-books shall, at the wish of the school board of the district using such books, become null and void. [S. L. 1899, Ch. 29, Sec. 5.]

Duty Superintendent of Public Instruction.

Sec. 2008. The state superintendent of public instruction shall, within thirty days after the filing of the hereinbefore

mentioned sworn statement of prices of text-books, have the same printed and forward a sufficient number of certified copies of the same to each of the county superintendents of the state to furnish all the school districts of such county with one copy each; and the county superintendent shall immediately after receiving said certified copies of prices of books send or deliver one of such certified copies to the director or secretary of each school district or board of education in such county, to be filed as a part of the records of such district; and he shall also file one of said certified copies of prices in his office as a part of the records of said office. [S. L. 1899, Ch. 29, Sec. 6.]

Superintendent Must Furnish Form of Contract.

Sec. 2009. It shall be the duty of the state superintendent of public instruction to prepare and have printed a form of contract between district boards and publishers of school books and to furnish the same through the county superintendent to the several district boards of the state; and no other form of contract shall be used by such district boards and publishers. [S. L. 1899, Ch. 29, Sec. 7.]

Attorney General Must Investigate Violation of Contracts.

Sec. 2010. Upon the filing of a written complaint with the state superintendent of public instruction by the officers of any district board, charging any publisher with violating the provisions of such contract as hereinbefore mentioned, the attorney general is hereby instructed, and it shall be his duty, to investigate the same, and if he finds probable cause for action, he shall immediately begin proceedings in the name of the state to enforce the liability on the bond hereinbefore mentioned. [S. L. 1899, Ch. 29, Sec. 8.]

Books Property of District.

Sec. 2011. All books purchased by district boards, as hereinbefore mentioned, shall be held as the property of the district and loaned to pupils of the school while pursuing a course of study therein, free of charge; but the district board shall hold such pupils responsible for any damage to, loss of, or failure to return such books at the time and to the person that may be designated by the board of such district. [S. L. 1899, Ch. 29, Sec. 9.]

Pupils May Purchase Books.

Sec. 2012. The provisions of this chapter shall include all school supplies; Provided, That nothing in this chapter shall be construed to prohibit any pupil or parent from purchasing from the board such books as may be necessary, at cost to

the district; Provided, further, That the board may designate some local dealer to handle books for the district with such an increase above contract price to pay cost of transportation and handling, as may be agreed upon between said board and said dealer. [S. L. 1899, Ch. 29, Sec. 10.]

TEACHERS.

Board of Examiners.

Sec. 2013. There shall be established in the state of Wyoming a state board of examiners, which shall be composed of three members, who shall be selected and appointed by the state superintendent of public instruction from the principals of the high schools, city and county superintendents and the faculty of the state university in the state. The board shall receive \$5.00 a day while actually engaged in the performance of duty and also their actual traveling expenses in attending meetings. It shall be the duty of said board to meet at least annually in the office of the state superintendent of public instruction at the state house and adopt rules and regulations for the granting of certificates to teachers, to prepare examination questions, which shall be sent to the county superintendents of the several counties, where examinations shall be held at least twice a year; to receive all papers written by applicants for certificates in the various counties and mark such papers, and to return within two weeks to the county superintendent from whose county the papers were received, the result of such examinations and when the result warrants, to recommend to the state superintendent of public instruction that he issue to the applicant a certificate of the proper grade, to keep on file for one year in the office of the state superintendent of public instruction at the state house all examination papers and all other papers pertaining to the work of the board, which shall be open at all times to the inspection of the public; to recommend to the state superintendent of public instruction the issuing of five regular classes of certificates as follows, to be determined by the qualifications of the applicants in each case.

Third Class. The applicant shall pass an examination in the following subjects: orthography, reading, penmanship, arithmetic, English grammar, geography, United States history, civil government of the United States and Wyoming, physiology, hygiene and agriculture, securing an average of not less than 70 per cent, and not falling below 50 per cent in any one branch. [S. L. 1913, Ch. 102.]

Second Class. The applicant shall pass an examination in all of the subjects required for the third class certificates

with the following additional subjects: Rhetoric and composition, theory and practice of teaching, securing an average grade of not less than 80 per cent and not falling below 60 per cent in any one branch.

First Class. The applicant shall pass an examination in all of the subjects required for the second class certificate with the following additional subjects: Elementary algebra, English and American literature, elementary psychology, physical geography, and any two or more of the following subjects: Plane geometry, botany, zoology, chemistry, general history, Latin, German, political economy, bookkeeping, shorthand, securing an average of not less than 80 per cent and not falling below 60 per cent in any one branch. An applicant for this class of certificate must have had not less than one school year of successful experience in teaching.

Professional Second Class. The applicant shall pass an examination in the same subjects as those required for the first class certificate with at least two additional electives and the following subjects in addition thereto: School management, pedagogy, methods and history of education, and secure the same average and minimum grades as those required for first class certificates. Applicants for this certificate must have had not less than two years of successful experience in teaching.

Professional First Class. The applicant at the time of his application must have had not less than three years of successful experience in teaching and must have previously been granted a professional second class certificate and pass an examination upon the subjects of advanced psychology and school supervision. [S. L. 1909, Ch. 33, Sec. 1.]

Recommend Issuance of Certificates.

Sec. 2014. The state board of examiners shall upon application recommend to the state superintendent of public instruction the issuance of certificates of any of the classes named in section 2013 to the following persons without examination:

Third Class. Graduates of the preparatory school of the University of Wyoming and of high schools in the state of Wyoming whose diplomas represent the completion of a regular four years' course of study above the eighth grade.

Second Class. Graduates of the preparatory school of the University of Wyoming and of high schools in the state of Wyoming whose diplomas represent the completion of a regular four years' course of study above the eighth grade, who in addition thereto have successfully pursued a course of study

in the state normal school of the University of Wyoming for a period of not less than eighteen weeks.

First Class. Graduates of the preparatory school of the University of Wyoming and of high schools in the state of Wyoming whose diplomas represent the completion of a regular four years' course of study above the eighth grade, who in addition thereto have successfully pursued a course of study in the state normal school of the University of Wyoming for a period of not less than one year, and must have had not less than one year of successful experience in teaching.

Professional Second Class. Graduates of the state normal school of the University of Wyoming who have had at least one year of successful teaching.

Professional First Class. Graduates of the college of liberal arts of the University of Wyoming who have elected their major subject in their course of study at the university in the departments of psychology and pedagogy, said major being equal to at least one-fifth of the entire course of study pursued, or who pass a satisfactory examination upon the professional subjects required for a professional second class certificate and who have had at least two years of successful experience in teaching. Provided, That no certificates of any class shall be renewed without examination except as hereinafter provided by this chapter. [S. L. 1909, Ch. 33, Sec. 2.]

Classes of Certificates.

Sec. 2015. The various classes of certificates named in Section 2014 shall be valid in the entire state of Wyoming for the following periods:

Third class, one year; second class, two years; first class, four years; professional second class and professional first class for life. Provided, That no certificate shall be granted to any person under seventeen years of age and that any certificate of any class upon recommendation of the state board of examiners may be revoked by the state superintendent of public instruction for gross inefficiency or immoral character. [S. L. 1909, Ch. 33, Sec. 3.]

Grades.

Sec. 2016. The various classes of certificates named in Section 2014 shall be valid to teach in the schools of Wyoming as follows: Third and second class certificates in the common schools from the kindergarten to the eighth grade, inclusive; first class certificates in the common schools from the kindergarten to the eighth grade, inclusive, and for assistants in high schools in subjects covered by the examinations

and for principals and superintendents of schools having no high school grades; professional second class certificates in any public school and for principals and superintendents of schools having not more than a two year high school course; professional first class certificates in any public school and for principals and superintendents of schools of any grade. Provided, That persons now holding positions in this state as principals and superintendents of schools having high schools of any grade may continue to teach and supervise in positions of the same class upon any certificate of as high grade as that now held by the said person until July 1st, 1911. [S. L. 1909, Ch. 33, Sec. 4.]

Special Certificates.

Sec. 2017. The state superintendent of public instruction upon the recommendation of the state board of examiners shall issue the following special certificates:

A Temporary Certificate. An applicant for this class of certificate must have been engaged to teach a school in the state and present a request to the state board of examiners for this class of certificate from a member of the school board engaging her services, endorsed by the county superintendent of the county in which the applicant has been engaged to teach. Provided, That a good and sufficient reason must be presented showing why such temporary certificate should be granted and that this class of certificate is good only until the next regular examination.

Diploma Certificate. This certificate shall be granted to graduates of the state normal school and of the college of liberal arts of the University of Wyoming for the period named in Section 2014 necessary to gain experiences required for any life certificate.

Special Primary Certificate. This certificate shall be granted for four years upon the following qualifications and shall be valid to teach in primary and kindergarten grades, the applicant must have held previously two certificates of as high a class as the second class and must have had not less than four years' successful experience in teaching and shall pass an examination upon primary and kindergarten methods, elementary psychology, methods and school management, making an average of not less than 75 per cent and not falling below 60 per cent in any one branch.

Special Technical Certificate. This certificate shall be valid for four years to teach special technical subjects. The applicant shall pass an examination in the special branches

which he expects to teach, making an average of not less than 80 per cent. Provided, That this certificate may be granted without examination to graduates of any technical school or college of the University of Wyoming to teach subjects covered by the course of study which the applicant pursued and that it may be renewable for life for such applicant upon examination in professional subjects required for the regular professional second class certificate. [S. L. 1909, Ch. 33, Sec. 5.]

State Board of Examiners Shall be Judge.

Sec. 2018. Certificates granted in other states and of as high rank as the first or second class certificates, having requirements equivalent to those in this state may be given the same validity in this state. The state board of examiners shall be the judge of equivalency. Exemption certificates granted to graduates of the state normal school and other schools of the University of Wyoming, may be granted to the graduates of other normal schools and colleges of equivalent rank. The state board of examiners shall be the judge of equivalency. [S. L. 1909, Ch. 33, Sec. 6.]

Board Discretionary Power.

Sec. 2019. The board of examiners may have discretionary power to extend the first and second class certificates upon the completion of course of study in the state reading circle, provided, however, that no certificate shall be extended for a longer period than that for which it was originally granted and that after July 1st, 1911, no extension shall be made for more than two years at a time and that the examination for each year's extension must be based upon the reading of not fewer than two books. [S. L. 1909, Ch. 33, Sec. 7.]

Certificate Necessary for Compensation.

Sec. 2020. No person shall teach or supervise a public school in the state of Wyoming and receive compensation therefor out of any public fund who at the time of rendering such services is not a holder of a certificate granted under the provisions of this chapter. [S. L. 1909, Ch. 33, Sec. 8.]

Examiners Recommend List of Books.

Sec. 2021. It shall be the further work of the state board of examiners to recommend annually a list of books for the state reading circle for teachers and also a list of books suitable for general reading for pupils of the various grades. [S. L. 1909, Ch. 33, Sec. 9.]

Register Their Certificates.

Sec. 2022. Teachers who contract to teach in any county of the state of Wyoming and who secure a certificate of any class from the state superintendent of public instruction shall in every case register their certificate in the office of the county superintendent of schools of said county before beginning to teach therein. [S. L. 1909, Ch. 33, Sec. 10.]

Fees.

Sec. 2023. Every applicant for a certificate of any class to be granted upon examination or by exemption or renewal shall pay to the state board of examiners the following fee:

Temporary certificates	\$.50
Second and third class certificates and special certificates	1.00
First and professional certificates	1.50

These fees shall be collected by the county superintendent of schools at the time of taking the examination, or at the time of making application for a certificate. The county superintendent of schools shall transmit to the secretary of the state board of examiners all fees collected, as provided by this section, who shall issue his receipt therefor in duplicate, the original to be forwarded to the county superintendent and the duplicate to be transmitted to the state superintendent of public instruction. The fees received by the state board of examiners shall be paid to the state treasurer and by him credited to the general fund of the state. [S. L. 1909, Ch. 33, Sec. 11.]

Duty Secretary of Board.

Sec. 2024. It shall be the duty of the secretary of the state board of examiners to give bond of not less than \$1,000, for the faithful performance of his duties, the expense of said bond to be borne out of the funds appropriated for the support of the state board of examiners, said bond to be approved as other state bonds. [S. L. 1909, Ch. 33, Sec. 12.]

Temporary Certificates.

Sec. 2025. A teacher contracting to begin a school in the interim of examinations and not holding any certificate to teach in this state may make an application for a temporary certificate as provided in Section 2017; and in the meantime the county superintendent of schools of the county in which the applicant proposes to teach may issue to such an applicant a permit to proceed to teach legally in said school for a period long enough for the state board of examiners to act upon such applications. Provided, That no such permit shall be valid unless an application for a certificate shall be made to the state

board of examiners of even or preceding date and that said permit shall state the fact of such application therein. [S. L. 1909, Ch. 33, Sec. 13.]

Certificates—How Issued.

Sec. 2026. The superintendent of public instruction shall issue to teachers certificates of the proper grade on recommendation of the state board of examiners, which certificate shall entitle the holder to teach in Wyoming for the time fixed by law for that particular class of certificate. [S. L. 1909, Ch. 33, Sec. 14.]

Annual Report.

Sec. 2027. The state board of examiners shall make an annual report to the state superintendent of public instruction covering such points as the state superintendent may require. [S. L. 1909, Ch. 33, Sec. 15.]

SCHOOL DISTRICT BONDS.

Note.—School trustees are urged when considering the issuance of school bonds, to consult with local attorneys.

Authority to Call Election to Determine Issue.

Sec. 2028. The board of school trustees of any school district may, whenever a majority thereof so decide, submit to the electors of the district the question whether the board shall be authorized to issue the coupon bonds of the district to a certain amount, not to exceed two per cent of the taxable property in said district, and bearing a certain rate of interest, not exceeding six per cent per annum, and payable and redeemable at a certain time, not exceeding twenty-five years, for the purpose of building one or more school houses in said district, and providing the same with necessary furniture, and funding outstanding indebtedness evidenced by warrant or otherwise, against said district. [S. L. 1897, Ch. 41.]

Bond Election—Issue of Bonds.

Sec. 2029. Such elections must be held in the manner prescribed for general or special elections in school districts, and the ballots must contain the words "Bonds, yes," or "Bonds, no." If the majority of the votes at such election are "Bonds, yes," the board of trustees must issue such bonds in such form as the board may direct; they must bear the signatures of the president of the board of trustees and be countersigned by the clerk of the school district, and bear the district seal and be countersigned by the county treasurer, and the coupon attached to the bonds must be signed by the presi-

dent and clerk and the county treasurer. And each bond so issued must be registered by the county treasurer in a book provided for that purpose, which must show the number and amount of each bond, and the person to whom the same is issued, and the said bonds must be sold by the said school trustees, as provided in section two thousand and thirty. [S. L. 1888, Ch. 72, Sec. 2.]

Sale of Bonds—Application of Proceeds.

Sec. 2030. The school trustees must give notice in some newspaper of general circulation, published in the capital of this state, and also in some newspaper published in the county in which said school district is located, for a period of not less than four weeks, to the effect that the said school trustees will sell said bonds, briefly describing the same, and the time and place where such sale will take place; Provided, That the said bonds must not be sold for less than their par value, and the said trustees are authorized to reject any bids, and to sell said bonds at private sale, if they deem it for the best interests of the district; and all money arising from the sale of said bonds must be paid forthwith into the treasury of the county in which said district may be located, to the credit of said district, and the same shall be immediately available for the purpose of building or providing the school house, or school houses, authorized by this chapter. [S. L. 1888, Ch. 72, Sec. 3.]

Pledge for Payment.

Sec. 2031. The faith of each school district is solemnly pledged for the payment of the interest, and the redemption of the principal of all bonds which are issued under this chapter. [S. L. 1888, Ch. 72, Sec. 4.]

Tax Levy to Redeem and Pay Interest.

Sec. 2032. The board of county commissions of the proper county of each district must ascertain and levy annually, the tax necessary to pay the interest as it becomes due, and a sinking fund to redeem the said bonds at their maturity; and said tax is a lien upon the property in said school district, and must be collected in the same manner as other taxes for school purposes. Said tax shall be known as "district bond tax of school district No....." [S. L. 1888, Ch. 72, Sec. 5.]

Redemption.

Sec. 2033. When the sum in the sinking fund equals or exceeds the amount of any bond then due, the county treasurer shall post in his office, a notice that he will, within thirty days from the date of such notice, redeem the bonds then payable, giving the number thereof, and the preference must be given

to the oldest issue; and if, at the expiration of the said thirty days the holder or holders of said bonds shall fail or neglect to present the same for payment, interest thereon must cease; but the treasurer shall, at all times thereafter, be ready to redeem the same on presentation, and when any bonds are so purchased or redeemed, the county treasurer must cancel the same by writing across the face of each bond in red ink, the word "cancelled," and the date of such cancellation. The annual interest on all of said bonds shall be payable at the office of the treasurer of the proper county on the first and ten succeeding days of January in each year. [S. L. 1888, Ch. 72, Sec. 6.]

Payment of Interest.

Sec. 2034. The county treasurer may pay out of any moneys belonging to a school district tax fund, the interest upon any bonds issued under this chapter by such school district, when the same becomes due, upon the presentation at his office of the proper coupon, which must show the amount due, and the number of the bond to which it belonged, and all coupons so paid, must be reported to the school trustees at their first regular meeting thereafter. [S. L. 1888, Ch. 72, Sec. 7.]

Preparation of Bonds.

Sec. 2035. The school trustees of any district shall cause to be printed or lithographed at the lowest rates, suitable bonds, with the coupons attached, when the same become necessary, and pay therefor out of any moneys in their treasury. [S. L. 1888, Ch. 72, Sec. 8.]

Penalty for Misapplication of Funds by Trustees.

Sec. 2036. If any of the school trustees fraudulently fail or refuse to pay into the proper county treasury the money arising from the sale of any bonds provided for by this chapter, they shall be deemed guilty of felony, and upon conviction thereof, be punished by imprisonment in the state penitentiary for a term of not less than one year, nor more than ten years. [S. L. 1888, Ch. 72, Sec. 9.]

County Treasurer Shall Have Custody of Funds.

Sec. 2037. The county treasurer of such county shall have the custody of all funds realized from the sale of said bonds, until the same are drawn out by the order of the board of directors of said districts. [S. L. 1888, Ch. 72, Sec. 10.]

Additional Bond of County Treasurer.

Sec. 2038. The board of trustees of said district shall

require the said county treasurer to give said district a separate bond in such sum as said board may deem proper, with two or more sufficient sureties, conditioned for the faithful performance of the duties required of him by this chapter, and the faithful accounting for the moneys deposited with him and realized from the sale of said bonds, as herein provided for, and such bonds shall be approved by said board and shall be and remain in the custody of said board of trustees. [S. L. 1888, Ch. 72, Sec. 11.]

REFUNDING SCHOOL DISTRICT BONDS.

Power of Board to Issue Refunding Bonds.

Sec. 2039. The board of directors of each and every school district in the state of Wyoming are hereby authorized to issue refunding bonds of such school district, for the purpose of taking up outstanding bonds of such school district, for any sum not exceeding the amount of outstanding bonds; Provided, That the qualified electors of any school district shall so elect and determine at any regular meeting, or at any special meeting, held for such purpose. [S. L. 1893, Ch. 10, Sec. 1.]

Form of Bond, Time and Interest.

Sec. 2040. Said bonds shall be issued in sums of not less than one hundred dollars, and shall be redeemed by the school district issuing the same within a period not exceeding thirty years, and not less than five years from the date of issue, and shall bear interest at a rate not exceeding six per centum per annum, on each dollar of their face, which interest shall be payable annually or semi-annually, the rate of interest to be determined by the board of school directors. Such bonds shall be numbered from one upwards, and be headed "Refunding bonds of school district No, in the county of, state of Wyoming"; and before being issued shall be registered by the treasurer of the county within which such school district is situated. [S. L. 1893, Ch. 10, Sec. 2.]

Registration of Bond.

Sec. 2041. The county treasurer of each county shall keep a book in which shall be registered all such bonds, showing the number of the bond, the date of issue, amount, number of coupons, date of redemption, date of registry and payment of interest on such bonds, which book shall, during business hours, be open for inspection. [S. L. 1893, Ch. 10, Sec. 3.]

By Whom Signed and Sale Thereof.

Sec. 2042. All bonds so issued shall be signed by the presiding officer of the board of directors of such school dis-

tract, countersigned by the county treasurer of the county in which such school district is situated, and attested by the clerk of such school district, with the seal of such school district attached; and none of such bonds shall be sold for less than their face value, and shall not be sold until thirty days' notice shall have been given in some newspaper of general circulation in the state of Wyoming. [S. L. 1893, Ch. 10, Sec. 4.]

Coupons—Where Paid.

Sec. 2043. Said bonds shall have coupons attached, representing the interest to be paid each year; and the coupons representing said interest shall be detached from the bonds before presentation for payment of the interest for the year corresponding and upon payment shall be forthwith cancelled by the county treasurer, by writing the word "cancelled" across the face thereof. The interest on all such bonds shall be payable at the office of the county treasurer of the county in which such school district issuing such bonds is situated, or in any place designated by the board of school directors of such school district. [S. L. 1893, Ch. 10, Sec. 5.]

Tax to Pay Interest and Principal.

Sec. 2044. There shall be annually levied by the board of county commissioners of the county, within which is situated any school district issuing any such bonds, as are herein provided for, on all taxable property within the limits of said school district, a tax not to exceed seven mills on the dollar of valuation, which shall be known as the "Refunding bond fund of school district." Said tax shall be payable only in the lawful money of the United States, and shall be used to pay the interest and principal of said bonds, and for no other purpose, and said tax shall be collected in the same manner, and at the same time as the county taxes, and paid into the county treasury by the collector of taxes. [S. L. 1893, Ch. 10, Sec. 6.]

Duty of School Directors as to Redemption.

Sec. 2045. The board of school directors of any school district, which may issue bonds, as provided in this chapter, shall each year, after the tenth year, retire as many of such bonds as can be redeemed, with the amount of said bond fund at the time in the hands of the county treasurer, and in all such cases, such bonds shall be redeemed by the payment of number one first, and proceeding continuously upwards with those outstanding. All cancelled bonds shall be turned over to the board of directors at such times as they may direct. [S. L. 1893, Ch. 10, Sec. 7.]

Property in District Pledged for Payment.

Sec. 2046. All taxable property of any school district issuing bonds, as herein provided for, at the time of issuing such bonds, shall be pledged for the payment of the principal and interest of such bonds in the manner herein provided, and it shall not be lawful to use or divert any portion of such bond fund for any purpose whatever, except for the payment of such principal and interest. [S. L. 1893, Ch. 10, Sec. 8.]

Duty of County Treasurer.

Sec. 2047. The county treasurer of each county in which any school district, issuing bonds as herein provided for, is situated, shall have custody of all funds realized from the sale of such bonds, and shall pay the same out only upon the return of such bonds, for the redemption of which the refunding bonds, for the issue of which this chapter provides, may have been issued. Such bonds so redeemed shall be cancelled by the county treasurer and turned over to the board of school directors of the school district which issued said redeemed bonds at such time as they may direct. It shall be the duty of the county treasurer to give a separate bond to be made to such school district, in such sum and with such sureties as the board of county commissioners of the county may deem proper and sufficient, conditioned for the faithful accounting of the moneys deposited with him and realized from the sale of such bonds as are herein provided for, and such treasurer's separate bond shall be and remain in the custody of the county clerk of the county in which such school district is situated. [S. L. 1893, Ch. 10, Sec. 9.]

Funds Realized from Sale of Refunding Bonds.

Sec. 2048. Whenever any school district shall have issued its refunding bonds, and the funds realized from the sale of such refunding bonds, by reason of such bonds selling for more than their par value, are more than sufficient to redeem all the bonds, to redeem which said refunding bonds were issued, such surplus may be used: First, to pay all the expense of issuing and disposing of said refunding bonds. Second, any surplus still remaining shall be turned by the county treasurer into the "Refunding bond fund" of such school district, and used for the purposes for which such fund is used as provided in section two thousand and forty-four. [S. L. 1895, Ch. 10, Sec. 1.]

Balance in the Hands of County Treasurer—How Used.

Sec. 2049. Whenever any school district shall have issued its refunding bonds and there remains in the hands of the

county treasurer of the county in which said school district is situated, any moneys belonging to the funds provided by law for the payment of the principal or interest, or both, of the bonds, to redeem which said refunding bonds were issued, said money may be used: First, to pay any deficiency in the expenses of issuing and disposing of said refunding bonds that cannot be paid by the surplus realized from the sale of said refunding bonds. Second, any moneys still remaining in said fund shall be turned by said county treasurer into the "Refunding bond fund" of such school district and used for the purposes for which such fund is used as provided in section two thousand and forty-four. [S. L. 1895, Ch. 10, Sec. 2.]

Surplus—How Used.

Sec. 2050. The county treasurer of any county in which is situated a school district that may issue refunding bonds, is hereby authorized and required to pay out the surplus moneys derived from the sale of any such refunding bonds, or the surplus moneys remaining in the old fund for the expenses incurred by such school district in issuing and disposing of such refunding bonds on orders of the school board of such school district, which orders shall state on their face that the money to be so paid was a legitimate expense incurred in the issue and sale of such refunding bonds. When all of such expense has been paid by the issue of such orders or otherwise, the board of directors shall, over the seal of said district, notify said county treasurer of the fact that all the expense incurred in the issue and sale of such refunding bonds has been paid, whereupon said treasurer shall immediately transfer all moneys remaining in his hands applicable to the payment of interest or principal of the old bonds to the "Refunding bond fund" of such school district; Provided, however, That all the bonds to redeem which said refunding bonds were issued have already been paid. [S. L. 1895, Ch. 10, Sec. 3.]

HIGH SCHOOL DISTRICT.

High School Districts.

Sec. 2051. That for the purpose of affording better educational facilities for pupils more advanced than the studies provided in the district schools existing in the several counties in this state, and in addition to such school districts as are now organized, or which may hereafter be formed under the laws for the creation and formation of the same, there may be organized and established a high school district and a free high school therein on conditions and in the manner hereinafter prescribed, the territorial extent of which may embrace

any number of present organized and constituted school districts, the qualified electors of which may vote to become a part of such high school district and participate in the maintenance and benefits of such high school organization. [S. L. 1905, Ch. 67, Sec. 1.]

Body Corporate.

Sec. 2052. Each high school district which may be formed under the provisions of this chapter, is hereby declared to be a body corporate by the name and style of "..... High School, State of Wyoming," and in that name it may hold property and be a party to suits and contracts. [S. L. 1907, Ch. 57, Sec. 1.]

How Formed.

Sec. 2053. Whenever one hundred freeholders in any territory sought to be organized into a high school district under the provisions of this chapter, a portion of which shall be freeholders of each school district intended to be embraced within such high school district, shall petition the board of county commissioners of the county within which such territory is, requesting the organization and establishment of a high school district under the provisions of this chapter, defining the boundaries thereof, and describing the lands to be embraced therein, by townships and ranges or fractions of townships, the board shall, at their first meeting thereafter, give twenty days' notice by publication in the official paper of said county that the question of the creation of such high school district will be submitted to the electors of the territory so to be embraced in such high school district at a designated time, not to exceed thirty days from the expiration of the said twentydays' notice, whether such high school district shall be created and established. In addition to said notice, the trustees in the several school districts embraced within such territory thus to be organized into such high school district, shall be notified by such board of county commissioners of the holding of said election immediately after the first publication of the notice provided for in this section. And it shall be the duty of said school trustees to post a copy of said published notice on the front door of each school house in their said respective districts of such impending election. [S. L. 1905, Ch. 67, Sec. 34.]

Election—Called by County Commissioners.

Sec. 2054. Such election shall be conducted in all respects the same as the election for school trustees, except that the said board of county commissioners shall call the election and that there shall be no registration of voters required or printed

ballots furnished. Each school district to constitute a part of such high school district, shall constitute a voting precinct for the purpose of this chapter. [S. L. 1905, Ch. 67, Sec. 4.]

Failure Trustees to Open Election.

Sec. 2055. If for any reason the trustees of any such school district fail to open such election in the manner provided, then and in such event the qualified electors of such school district assembled at the time and place for holding such election shall organize by appointing a chairman and secretary, who shall act as judges of such election. [S. L. 1905, Ch. 67, Sec. 5.]

Judges of Election.

Sec. 2056. In school districts having six trustees, three of their number shall be designated by them to act as judges of such election, but if for any reason they do not appear, the qualified electors of such school district there assembled may proceed to elect three persons having the qualifications of electors to act as judges thereat. [S. L. 1905, Ch. 67, Sec. 6.]

Election by Ballot.

Sec. 2057. Said election shall be by ballot either written or printed and none but qualified electors of such school district shall be permitted to vote thereat. And the name of each person voting shall be recorded by the judges certified as such and return thereof made with the ballots as hereinafter provided. Those in favor of the creation and organization of the high school district shall write or print on their ballots "For high school district." Those opposed to the creation and organization of the high school district shall write or print on their ballots, "Opposed to high school district." [S. L. 1905, Ch. 67, Sec. 7.]

Canvass.

Sec. 2058. After the election the ballots on said question shall be canvassed in the same manner as for school trustees, except that the judges of such election in the different precincts shall forward the returns by registered mail to the county clerk of the county to be canvassed and the result to be determined by the board of county commissioners. The work of canvassing the returns shall be expeditiously done, and if for any reason delay should occur in forwarding the returns from the different precincts or from any of them, the board of county commissioners shall see that the delayed returns are promptly obtained. [S. L. 1905, Ch. 67, Sec. 8.]

When Created—Appointment First Trustee.

Sec. 2059. When the returns of such election shall have been received by the county clerk, the board of county commissioners shall proceed without delay to canvass the same, and determine and declare the result of such election, and enter the same upon their minutes. Such high school district shall be created, and said board of county commissioners shall declare the same to be composed of all precincts wherein a majority vote has been in favor of said proposition. The board of county commissioners shall give notice of the result of the election, naming the territory embraced in such created high school district, as shown by the election and as provided in this section, and thereupon such territory shall at once be created and constitute such high school district. The board of county commissioners shall thereafter, by order duly entered, promptly proceed to appoint six persons possessing qualifications of electors within the described territory and taxpayers thereof, who shall, with the county superintendent as ex officio member thereof, constitute a board of trustees of said high school district. Each of such trustees so appointed shall hold office until the first Monday in May next following his appointment, and until his successor is elected and qualified and shall within ten days of his appointment qualify by taking the oath required of county officers, and giving bond as may be required by the county commissioners for the faithful discharge of his duties, whereupon said high school district shall become fully organized. [S. L. 1907, Ch. 57, Sec. 2.]

Election of Trustees—Time.

Sec. 2060. The election of high school district trustees shall be held at the same time and place and in the same manner as trustees of other school districts except that in high school district elections the returns shall be made to the county clerk of the county, and the same canvassed, the result determined and declared by the board of county commissioners as in the organization of a high school district. The acting and qualified trustees of such high school district may, until otherwise provided by law, make rules and regulations to secure uniformity in the nomination of candidates for such trustees; Provided, however, That no such rules and regulations shall abridge the right of qualified voters to vote for any candidate they may desire for such trustee. [S. L. 1907, Ch. 57, Sec. 3.]

Trustees—Terms.

Sec. 2061. There shall be elected in each high school district at the regular annual school election on the first Monday in May of each year, in the same manner as provided by law

for the election of trustees for school districts, except as provided in the preceding section, three trustees for such high school district, who shall hold office for a term of two years and until their successors are elected and qualified. On the next succeeding first Monday in May after the establishment of a high school district there shall be elected in said district six trustees, who shall be divided into two classes of three each. The term of those in the first class shall expire one year from the first Monday in May following their election, and the term of those in the second class shall expire two years from the first Monday in May following their election. When a vacancy occurs in the office of trustees in said district by death, resignation, removal from the district or otherwise, the fact of said vacancy shall be immediately certified by the secretary, and such vacancy shall be filled by appointment by said board of trustees until the next annual election, at which time such vacancy shall be filled by election. [S. L. 1905, Ch. 67, Sec. 11.]

Quorum.

Sec. 2062. A majority of such board of trustees shall constitute a quorum for the transaction of all business, but four votes shall be required to decide any question. [S. L. 1905, Ch. 67, Sec. 12.]

Where Located.

Sec. 2063. The high school in said district shall be located at the county seat of government whenever said county seat is within the territory constituting such district, and a high school may be located in any other district selected by the electors of said district. [S. L. 1905, Ch. 67, Sec. 13.; S. L. 1907, Ch. 57, Sec. 4.]

Powers of Board—Officers.

Sec. 2064. At their first meeting in each year the trustees shall choose from their number a president and a secretary, who shall hold office for one year or until their successors are chosen and qualified. The county treasurer of the county wherein such high school district is, shall be the custodian of all funds available for such school purposes, under the provisions of this chapter. Payment shall be made by said treasurer upon warrants, drawn against said funds duly signed by the president and secretary. The trustees shall have authority to make all necessary rules for the government of said high school not inconsistent with law, and shall possess all powers which may be delegated to the board of trustees in other school districts, at the annual meetings thereof. Such high

school district shall be recognized as one of the regular constituted school districts of the county, and shall be entitled to and shall receive all the rights and benefits as such. [S. L. 1905, Ch. 67, Sec. 14.]

Tax Levy—Bonds.

Sec. 2065. At the first meeting of the board of trustees after any election in each year, or at any appropriate time, the said trustees shall make an estimate of the amount of funds needed for building purposes, for the payment of teachers' wages and for the payment of contingent expenses, and they shall present to the board of county commissioners a certified estimate of the tax required to raise the amount desired for such purpose. But in no case shall the tax for such purpose exceed in any one year the amount of ten mills on the dollar on all taxable property in said district, and when the tax is levied for the payment of teachers' wages and contingent expenses only, it shall not exceed two mills on the dollar.

Provided, That said trustees may, if in their judgment they think best, bond said district for the purpose of raising money necessary to build, equip a high school in said district, and to purchase a suitable site therefor. But no bonds shall ever be issued to pay teachers' salaries, or for the general expenses in maintaining said school, or, further, that no bonds shall be issued, by such district beyond the united bonding capability of the territory embraced within such district, taking into consideration existing obligations thereof at the time of the creation of such high school district, nor shall the issuance of any such bonds impair any outstanding obligations of any portion of the territory embraced within such high school district. [S. L. 1905, Ch. 67, Sec. 15.]

Submission of Bonding Question to Electors.

Sec. 2066. The board of trustees of the high school district, whenever a majority of the board shall so desire, may submit to the electors of said district the question of whether the board shall issue bonds of said district for the purchase or erection of a building for high school purposes and the equipment and for a suitable site therefor, provided that no such district shall be bonded for the above purpose in any amount to exceed \$50,000.00 and provided such bonds must run a term of twenty-five years or less, but no longer, and provided any such issue of bonds shall not increase the school indebtedness of the territory of said district beyond the maximum limit fixed by the state constitution. Said election shall be held in the manner prescribed in this chapter for the submission of the question of the establishment of said high

school district, except that the board of high school trustees shall officiate in the place of the board of county commissioners in giving the notices for and in determining the result of said election. The ballot shall be in the form as follows:

"Shall bonds be issued and sold to the amount \$....., bearing per cent interest, for the purpose of purchasing a school lot and building a school thereon and to equip the same?"

"Bonds, Yes."

"Bonds, No."

The ballots herein provided for shall be printed and furnished in sufficient quantities at the different polling places for the use of the electors by the board of high school trustees. The elector shall prepare his ballot by crossing out thereon parts of the ballots in such a manner that the remaining part shall express his vote upon the question submitted. If a majority of the votes cast at such election are "Bonds, Yes," the board of high school trustees shall issue such bonds in such form as the board may direct and shall bear the signature of the president and the secretary of such board written in ink. The coupons attached to said bonds shall be signed in the same manner. Lithographic or fac simile signatures of the president and secretary may be affixed to the coupons only when so stated in the bonds. Each bond so issued shall be registered by the county treasurer in a book provided for that purpose, which shall show the number and amount of each bond and the person to whom same is issued. Said bonds shall be sold by said trustees in the manner provided for the sale of school district bonds, and the moneys arising from the sale thereof shall be paid into the treasury of the county to the credit of said high school district. The faith of the said high school district is solemnly pledged for the interest and redemption of the principal of the bonds issued under the provisions of this chapter. The county commissioners at the time of making the levy of taxes for county purposes shall levy a tax for that year upon the taxable property in said high school district for the interest and redemption of said bonds, and said tax must not be less than sufficient to pay the interest of said bonds for that year and such proportion of the principal as will come due during such year, and in any event must be high enough to raise annually for the first half of the term, (and) high enough to pay such annual interest and to pay annually a portion of the principal of said bonds equal to the sum pledged by taking the whole amount of said bonds outstanding and dividing it by the number of years for which said bonds have to run, and all moneys so collected must be paid into the county treasurer to the credit of said high school district and kept in a separate

fund, and to be used for the payment of the principal and interest on said bonds, and for no other purpose. [S. L. 1905, Ch. 67, Sec. 16.]

Payment of Bonds.

Sec. 2067. Said bonds shall be paid, principal and interest, in the manner provided for the payment of school district bonds. [S. L. 1905, Ch. 67, Sec. 17.]

Estimate for Maintenance When Bonds Are Issued.

Sec. 2068. In case bonds are issued, then the trustees, in making estimates for the maintenance of the high school, shall not include estimates for buildings or whatever said bonds are issued for. [S. L. 1905, Ch. 67, Sec. 18.]

Collection of Tax.

Sec. 2069. The tax provided for in Section 2065 shall be levied and collected in the same manner as other county taxes, and when collected the county treasurer shall place the same to the credit of said high school district. [S. L. 1905, Ch. 67, Sec. 19.]

Record of Proceedings.

Sec. 2070. The said board of trustees of said high school district shall keep a record of all the official acts done by said board, shall keep a full record of all warrants issued against the moneys belonging to said high school district. Payments of money can only be made upon warrants drawn against funds belonging to said high school district and the warrants so drawn must specify upon their face the purpose for which funds, called for by the warrants so issued. Said board of trustees of said high school district shall provide, at the expense of their district and for said district, a seal, upon which shall be engraved the words ".....County High School, State of Wyoming," said blank space to contain the name of the county wherein is located such high school district. The seal shall be kept in possession of the clerk of said district. Said seal shall be affixed to all communications or notices required by law to be sent or published by said high school board and to all warrants drawn upon the treasurer of said high school trustees. [S. L. 1907, Ch. 57, Sec. 5.]

Trustees Provide Suitable Buildings.

Sec. 2071. The said board of trustees shall proceed as soon as practicable after their appointment and qualification to establish the high school contemplated by this chapter, and may at their discretion lease suitable buildings for the use of the high school while the new buildings are in process of erection, or may contract with the trustees of the local school

district, or with other parties for the use of suitable buildings for such high school purpose, and for such time as may be deemed best for the interest of such high school district, and if at any time the qualified electors of such district shall vote bonds, as herein provided, said trustees shall select the best site that can be obtained and the title thereto, upon procuring such site, purchased or otherwise, shall vest in such high school district under the name herein provided for and the trustees shall then proceed to make purchase of material and to build said building thereon, or to let such contracts for the necessary school buildings as they may deem proper. They shall not, however, make any purchase or enter into any contract whereby obligations are assumed in excess of the amount of funds on hand or available through the levy of taxes or the issuance of bonds for the current year. [S. L. 1905, Ch. 67, Sec. 21.]

Employment of Faculty.

Sec. 2072. After suitable buildings are secured as herein above provided for the carrying on of said high school, the trustees shall employ some suitable person to take charge of said school, who shall be known as principal of said school, and who shall possess such qualifications as may be prescribed by said board of trustees, except that said principal shall be required to possess at least five years' experience in teaching, and the trustees shall furnish such assistant teachers as they may deem necessary, and shall designate the salaries which shall be paid such principal and assistant teachers. [S. L. 1905, Ch. 67, Sec. 22.]

Government.

Sec. 2073. The principal of any such high school, with the approval of the board of trustees, shall make such rules and regulations as may be deemed proper in regard to study, conduct and government of the pupils under his charge; and if any such pupil shall not conform to or obey the rules of the school, they may be suspended or expelled therefrom by the board of trustees. [S. L. 1905, Ch. 67, Sec. 23.]

Courses of Study.

Sec. 2074. There shall be provided such courses of study as will prepare and fit a student attending such high school for admission to the university of this state, and such courses of study must be sufficient for such purposes. [S. L. 1905, Ch. 67, Sec. 24.]

Tuition—Admission.

Sec. 2075. Tuition shall be free to all pupils who are bona fide residents of said high school district. The board of

trustees shall make such general rules and regulations as they deem proper in regard to age and grade of attainments essential to entitle pupils to admission to said school; Provided, That no person shall be admitted to such high school who shall not have passed a satisfactory examination, or who does not hold an eighth grade common school certificate. If there shall be more applicants than can be accommodated at any one time, each district shall be entitled to send its proportionate number of pupils according to the number of pupils it may have as shown by the last report of the county superintendent of schools, and the boards of the respective school districts shall designate such pupils as shall attend subject to the proviso above stated. [S. L. 1905, Ch. 67, Sec. 25.]

Admission of Pupils From Other Districts.

Sec. 2076. If at any time the school can accommodate more pupils than apply for admission from the district, the vacancies may be filled by applicants from other counties or school districts, upon the payment of such tuition as the board of trustees may prescribe, but at no time shall such pupils remain in said school to the exclusion of pupils residing in the district. [S. L. 1905, Ch. 67, Sec. 26.]

Mileage of Trustees—No Compensation—Reports.

Sec. 2077. The trustees of said high school district who do not reside at the place where said high school is established are entitled to mileage in attending the meetings of the board. The trustees of said high school shall serve without compensation, and the board shall make such reports from time to time as the county superintendent of schools or the state superintendent of public instruction may require. [S. L. 1905, Ch. 67, Sec. 27.]

Certificates of Graduation—Admission to State University.

Sec. 2078. Upon the presentation of a certificate of graduation from any such high school within one year of the date of same, to any state institution of learning, the person presenting the same may be admitted without further examination to said institution of learning. [S. L. 1905, Ch. 67, Sec. 28.]

No Tuition to Bona Fide Residents.

Sec. 2079. Such high school shall be free to all persons of school age, possessing the qualifications, who are bona fide residents of said high school district. [S. L. 1905, Ch. 67, Sec. 29.]

Districts—How Annexed.

Sec. 2080. Whenever any "high school district" shall have been created in any county under the provisions of this chapter, and any school district in the county wherein said "high school district" is located shall not, at the time of the election on the establishment of such "high school district," cast a majority vote in favor of such proposition, such school district may at any time thereafter become a part of such "high school district" in the manner hereinafter provided. [S. L. 1907, Ch. 58, Sec. 1.]

Petition for Annexation.

Sec. 2081. Whenever ten freeholders in any such school district mentioned in Section 2080 hereof, not incorporated within such high school district as mentioned in Section 2080 hereof, shall petition the board of county commissioners of the county wherein said school district is located to make such school district a part of such "high school district" as mentioned in Section 2080 hereof, describing the lands embraced in said school district by townships and ranges, or fractions of townships, the said board shall, at their first meeting thereafter, give twenty days' notice by publication in the official paper of said county that the question whether such territory shall be incorporated within said "high school district" will be submitted to the electors of such school district at a designated time, which shall not exceed thirty days from the expiration of said twenty days' notice. In addition to said notice the trustees in said school district thus intended to be incorporated into the said "high school district" shall be notified immediately after the first publication of said notice by such board of county commissioners of the holding of such election, and it shall be the duty of said school trustees to post a copy of said published notice on the front door of each school house in said school district. [S. L. 1907, Ch. 58, Sec. 2.]

Submission of Question.

Sec. 2082. Such election shall be conducted in all respects as near as may be, as provided in Sections 2054, 2055, 2056, 2057, and 2058, and the duties and acts to be performed shall be performed in the same manner, and by the same persons as therein specified. [S. L. 1907, Ch. 58, Sec. 3.]

Return—Commissioners' Action.

Sec. 2083. When the returns of such election shall have been received by the county clerk, of said county, the board of county commissioners shall proceed without delay to canvass the same, determine and declare the result of such elec-

tion, and enter the same upon their minutes, and if a majority vote of such school district has been cast in favor of incorporating such school district within said "high school district," then such school district shall at once become a part of and be incorporated within such "high school district" with the same force and effect and to all intents and purposes as though originally embraced therein, and for the purpose of maintaining and supporting the said "high school district" and its purposes and objects and to pay the current or other expenses, or pay the bonded indebtedness or the interest thereon, the property of such school district, so incorporated within said "high school district" so incorporated shall after such incorporation in each year be subject to the same taxation as the property of the other territory embraced within said "high school district" and be subject to all the laws, rules and regulations governing such "high school district" as though originally incorporated therein. [S. L. 1907, Ch. 58, Sec. 4.]

GENERAL ELECTIONS.

Vacancy in State Office.

Sec. 2087. At each of said general elections there shall also be elected such state officers as may be required to be elected to fill any vacancy occurring by operation of law, or the constitution of this state, including any vacancy or vacancies in the office of justice of the supreme court. [S. L. 1890-91, Ch. 68, Sec. 4.]

State Officers.

Sec. 2088. At the general election held in the year one thousand eight hundred and ninety-four, and at the general election held every fourth year thereafter, there shall be elected a governor, a secretary of state, an auditor, a treasurer, a superintendent of public instruction, and such other state officers as are, or may be, created by law, and made elective, whose election shall occur, or ought to occur at such general election. [S. L. 1890-91, Ch. 68, Sec. 6.]

County Officers to Be Elected.

Sec. 2091. The following county and precinct officers shall hold their office by election; and there shall be held in the several voting precincts of this state, on the Tuesday next following the first Monday in November, in the year of our Lord one thousand eight hundred and ninety-two, and on the Tuesday next following the first Monday in November, in each

second year thereafter, a general election at which the following county and precinct officers shall be elected:

The clerk.

The commissioners.

The surveyors.

The sheriff.

The county treasurer.

The county and prosecuting attorney.

The superintendent of schools.

The assessor.

The coroner.

The justices of the peace.

The constables.

The clerk of the district court for each county, whenever his term of office shall expire before the next general election, or whenever a vacancy therein is to be filled, and such other county and precinct officers which may be created and made elective by law. In counties having an assessed valuation not exceeding five million dollars, the county clerk shall be ex officio clerk of the district court, and shall perform all the duties pertaining to the office of clerk of the district court, but shall receive no additional or separate compensation therefor. [S. L. 1890-91, Ch. 100, Sec. 3.]

Relating to General Elections.

Sec. 2092. Except as hereinafter provided every person shall be qualified and entitled to vote who is a citizen of the United States and over the age of twenty-one years and who has been a bona fide resident of Wyoming for one year and of the county wherein his residence is located sixty days next preceding the election at which he votes and of the election district he seeks to vote for a period of ten days next preceding election and who shall be able to read the constitution of this state and who has complied with the provisions of law concerning registration; Provided, however, That any person prevented by physical disability from being able to read the constitution of this state shall not for this reason while laboring under such disability be deprived of his right to vote; Provided, further, That where any qualified elector who has registered in any other precinct in such city or town before the date of election, such voter shall be entitled to vote in the precinct where registered; Provided, further, That any person who is a citizen of the United States and who was a qualified elector on the tenth day of July in the year 1890 and who has since then continued to be a resident in this state and who has complied with the provisions of law concerning registration shall continue to be an elector of this state; and, Pro-

vided, moreover, That any person who is serving in the army of the United States or is an officer or soldier and who is residing on any military reservation in this state shall not be entitled to vote at any election held in this state unless such person has acquired the rights of citizenship by residence therein for a period of not less than one year while serving in the army of the United States as such officer or soldier. [S. L. 1911, Ch. 60, Sec. 1.]

Special County Elections Shall Be Ordered by County Commissioners.

Sec. 2110. All special elections for county and precinct officers shall be ordered by the county commissioners, which order shall be countersigned by the clerk of the board of county commissioners. [S. L. 1890, Ch. 80, Sec. 53.]

Vacancy in Office—Who Determines Fact of.

Sec. 2112. Whenever it is alleged that a vacancy in any office exists, the officer, court or county board, whose duty it is to fill the vacancy, by appointment, or to order an election to fill such vacancy, shall have power to determine whether or not the facts occasioning such vacancy exist. [S. L. 1890, Ch. 80, Sec. 47; R. S. 1899, Sec. 217.]

GENERAL PROVISIONS.

Qualifications of Office Holders.

Sec. 2273. No person shall be eligible to any office who, at the time he is chosen and during his incumbency therein, is not a qualified elector and an actual resident of the district, county, town, ward or precinct, as the case may be, in which he holds such office. [S. L. 1890, Ch. 80, Sec. 6.]

Woman Suffrage.

Sec. 2274. When they possess the other qualifications of an elector, the rights of women to the elective franchise and to hold office shall be the same as those of men. [S. L. 1890, Ch. 80, Sec. 7.]

Persons Disqualified from Voting or Holding Office.

Sec. 2275. The following persons shall not vote or hold office.

One who is under guardianship.

One who is non compos mentis.

One who has been within Wyoming convicted of any felony, unless restored to civil rights by pardon.

One who has made or become, either directly or indirectly, interested in any bet or wager depending upon the result of

the election at which he or she shall offer to vote. [S. L. 1890, Ch. 80, Sec. 8.]

Resignation of Elective Offices.

Sec. 2276. Resignation of elective offices shall be made to the officer, court or county board authorized by law to fill a vacancy in such office by appointment or to order an election to fill such vacancy. [S. L. 1890, Ch. 80, Sec. 43.]

Vacancies in Elective Offices—How Made.

Sec. 2277. Every elective office shall become vacant on the happening of either of the following events to the incumbent before the end of his term of office:

1. His death.
2. His resignation.
3. His becoming insane or non compos mentis.
4. His ceasing to be an inhabitant of the state, or if the office is local, his ceasing to be an inhabitant of the district, town, ward or precinct for which he was elected.
5. His conviction of an infamous crime or of any offense involving a violation of official oath.
6. His removal from office.
7. His refusal or neglect to take his oath of office, or to give or renew his official bond, or to deposit or file such oath or bond within the time prescribed by law.
8. The decision of a competent tribunal declaring his election void. [S. L. 1890, Ch. 80, Sec. 45.]

TAXATION AND REVENUE.

Purposes for Which Taxes Levied—Limitations upon Amount.

Sec. 2320. There shall be levied and assessed upon the taxable real and personal property within this state in each year, the following taxes:

First—For state revenue, four mills on the dollar when no rate is directed by the state board of equalization before the date in each year when the tax ought to be levied and assessed, but in no case shall the tax for state revenue purposes exceed said four mills on the dollar; except for the support of state educational and charitable institutions, the payment of the state debt and the interest thereon.

Second—The county commissioners shall annually levy a tax for the support of the common schools in their county, not to exceed three mills on the dollar. For county revenue for all purposes there shall be levied annually a tax, but the aggregate tax for county revenue, including general school tax, shall not exceed twelve mills on the dollar, exclusive of state

revenue, except for the payment of its public debt and the interest thereon. An additional tax of two dollars for each person between the ages of twenty-one years and fifty years, inclusive, shall be annually levied for county school purposes; Provided, always, That the board of county commissioners in each and every county of this state shall not expend in any one year, from out of the revenue so raised, for the support of the poor and lunatic purposes, a sum amounting to more than two mills on the dollar for each and every dollar of the assessed valuation of the property within their county for the then current year; for road purposes, a sum not amounting to more than three mills on the dollar of each and every dollar of assessed valuation of the property within their county for the then current year. [S. L. 1895, Ch. 102.]

Property Exempt from Taxation.

Sec. 2321. The following described property is hereby exempted from taxation: First—The property of the United States and of this state, the property of any county, township, incorporated cities, towns and school districts; public libraries, lots with buildings thereon used exclusively for religious worship; church parsonages; public grounds by whomsoever donated to the public, including all places for the burial of the dead. Second—Fire engines and all implements used for extinguishing fires, with the grounds used exclusively for the buildings of a fire company or companies. Third—Household and kitchen furniture, beds and bedding, wearing apparel of every person, and the food provided for each family, not to exceed in all the value of one hundred dollars. Fourth—The polls of all persons who have arrived at the age of fifty years. Fifth—The property engaged and used in the manufacture of beet sugar or any of the products of sugar beets, in the state of Wyoming, shall be exempt from taxation annually during the actual use of such property for such purpose, for a period of ten years. No factory thus engaged shall be entitled to such exemption unless at least seventy-five per centum of the sugar beets consumed therein during each year shall have been grown in Wyoming; Provided, Sufficient supply can be obtained in this state. [S. L. 1895, Ch. 52; S. L. 1897, Ch. 50.]

Property Exempt From Taxation.

Sec. 2322. That lands, with the buildings thereon, used for schools, orphan asylums or hospitals, and for lodge rooms for the meetings of all secret, benevolent and charitable societies or associations shall be exempted from taxation so long as said lands and buildings are not used for private profit. [S. L. 1901, Ch. 5.]

Bonds Exempt From Taxation.

Sec. 2323. Coupon or registered interest bearing bonds of the state of Wyoming, or any county, school district, or municipality of the state of Wyoming shall be exempt from taxation when owned by actual residents of the state, provided, that the owner or owners of such securities shall list the same annually on their assessment schedule, describing such bonds and the amount thereof, and shall mark opposite thereto, on such schedule, "exempt." [S. L. 1905, Ch. 17.]

What Property Subject to Taxation.

Sec. 2324. All other property, real and personal, within this state is subject to taxation in the manner herein directed, and this section is intended to embrace lands and lots in towns, including lands bought from the United States, whether bought on a credit or otherwise; buildings or improvements erected upon lands, the title to which still remains in the United States, or in any incorporated company, and all lands entered by pre-emption, final or commuted homestead, or as desert land, or at private or public sale, or under any act of congress, when final receipt therefor has been issued, shall be subject to taxation whether patent for the same has been issued or not, and when such final proof shall have been made before the 1st day of April in any year, the land so entered shall be subject to taxation for that year. It shall be the duty of the county commissioners of each county to obtain from the officers of the United States land district in which the county may be situated, an accurate transcript and plat of all entries and sales of public land which may or should be subject to taxation under the laws of the United States, or of this state, described by land numbers in their respective counties. Such transcripts shall be filed and preserved in their office, and they shall have the same corrected each year by obtaining as aforesaid, additional or supplementary transcripts. On the first Monday in April of each year, they shall cause to be furnished to the county assessor of the county, a true and correct plat or plats, corrected as aforesaid of all lands hereinbefore described, situate in the county, and they are hereby authorized and required to make any appropriation necessary to secure the execution of the work provided for in this section. Ferries, franchises and toll-bridges, all of which, for the purpose of this chapter, shall be considered real property. Horses and neat cattle, mules and asses, sheep, swine, goats, and all dogs and other animals; money in bank bills, coin or gold dust, whether in possession or on deposit; property, money or labor, due from solvent debtors on contract, or on judgment, and whether within this state or not; mortgages and other like

securities, stock or shares in any bank or company, incorporated or otherwise and whether incorporated by this or any other state, and whether situated in this state or not; public stocks or loans, household furniture not otherwise exempt, including gold and silver plate, musical instruments, watches and jewelry, pleasure carriages, stages, hacks, omnibuses and other vehicles for transporting passengers, wagons, carts, drays, sleds, and every other description of vehicle or carriage, all real and personal property within this state of every kind and description not heretofore enumerated, belonging to or claimed by any incorporated company, whether incorporated in this state or not, annuities—but not including pensions from the United States, or any state, nor salaries, nor payment for services expected to be rendered—and all other property not above exemptd, although not herein specified. [S. L. 1890-91, Ch. 36, Sec. 2.]

Time of Making County Levy—Form of Tax List.

Sec. 2343. On the first Monday of September, of each year, the board of county commissioners shall, by an order to be entered of record among their proceedings, levy the requisite taxes for the year, and the same may be levied at any time prior to the first Monday of September, if the statement and notice required by Section 2340 has been received from the auditor. Immediately after the taxes have been levied the county assessor shall compute the taxes from the credit valuations as corrected by the board of equalization, and as entered by him in the column of corrected valuations in the combined assessment roll and tax list; Provided, That all taxes for state purposes may be computed as a whole and entered in one column. The state examiner is hereby authorized and directed to prescribe the form of such combined assessment roll and tax list, which shall be uniform as to general requirements in all counties of the state. [R. S. 1887, Sec. 3806; R. S. 1899, Sec. 1781; S. L. 1901, Ch. 10, Sec. 1; S. L. 1909, Ch. 121, Sec. 1.]

Tax for School Purposes.

Sec. 2401. The county commissioners shall, at the time of levying tax for county purposes, cause to be levied a tax for the support of schools within the county, as provided by law, which shall be collected by the county collector, at the same time, and in the same manner as state and county taxes are collected, with the exception that it shall be receivable in cash or warrants of the school district. The county treasurer shall, at all times, hold subject to the draft of the proper officers, all moneys belonging to teachers' or school house fund. [R. S. 1887, Sec. 3964.]

Assessment—When Made.

Sec. 2402. Whenever a sum of money has been voted by a school district, as by law provided, the clerk shall, under the supervision of the directors, make out and certify over his official signature, the amount of money voted in his district, and on or before the fourth Monday in May of each year cause the same to be filed in the office of the clerk of the board of county commissioners; the clerk shall also at the same time notify the district assessor of the assessment district in which said school district is situated, in writing, of the action of the district. Said district assessor shall at the time of making the annual assessment of his district also assess the property of each school district, from which he has received notification as aforesaid, and return to the supervising assessor at the time of returning the assessment schedules, separate schedules listing the property of each school district by him assessed. Said separate schedule shall be by the supervising assessor, compiled, footed and returned to the board of county commissioners as hereinbefore provided for other assessment schedules. [S. L. 1903, Ch. 79, Sec. 13.]

Equalization of Assessment and Levy of Taxes.

Sec. 2403. The board of county commissioners of each county shall have the power and it is made their duty to equalize the assessment and valuation of the taxable property of all the several school districts in the county which is assessable by the county assessor, and shall also have power to add to such assessment any taxable property in such school district not included in the assessments as returned by the assessor, and which it was his duty to assess in the same manner as is or hereafter may be provided by law for county and state purposes, and it shall be the duty of the board of county commissioners when making the annual levy for taxes, to levy upon the taxable property of each school district a tax sufficient to raise the amount of money voted in the district for the year, which levy shall also be made upon the assessed valuation of railroad and telegraph property in such school district as assessed by the state board of equalization. And the county clerk in making out the annual tax list shall carry out in a separate column the amount of the district school tax in the same manner as other taxes. [R. S. 1887, Sec. 3966.]

Manner of Collecting Taxes.

Sec. 2404. The taxes and assessments of all school districts for all purposes, except as otherwise specially provided by law shall be collected like county taxes and all delinquent taxes shall be returned by the collector in the same manner

as other delinquent taxes are required by law to be returned.
[R. S. 1887, Sec. 3967.]

To Whom School Moneys Paid.

Sec. 2405. The amount of tax collected by the county collector shall be paid over to the county treasurer like other taxes, and shall be held by said county treasurer subject to the draft of the county superintendent, and shall be paid over accordingly; Provided, That the money collected on the district tax rolls shall be paid by the collector directly to the treasurer of the proper district, and his receipt taken therefor.
[R. S. 1887, Sec. 3968.]

Land Income Funds Available—When.

Sec. 2485. On the 15th day of January, eighteen hundred and ninety-nine, and on the 15th day of January of each second year thereafter, any and all moneys which shall be in either of the following land income funds shall become available, and may be used for the following purposes, respectively:

First—The “deaf, dumb and blind land income fund,” for the support, maintenance and education of all such deaf, dumb and blind persons as are or may hereafter become charges upon the state.

Second—The “insane asylum land income fund,” for the support and maintenance of the state insane asylum and the inmates thereof.

Third—The “fish hatchery land income fund,” for the support and maintenance of the state fish hatchery in Albany county.

Fund Appropriated.

Sec. 1. The sum of sixteen thousand seven hundred thirty-five dollars and ninety-five cents now to the credit of the penitentiary in Albany County Land Income Fund, together with any further amounts which may accrue thereto, is hereby appropriated for the payment of expenses heretofore or hereafter accruing for the support and maintenance of the state penitentiary located in Carbon county, and the care and subsistence of the convicts therein.

Repeal.

Sec. 2. The fourth sub-division of Section 2485 of the Wyoming Compiled Statutes of 1910, relating to the fund named in Section 1 of this act is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its passage.

Approved February 22, 1913.

Fifth—The “university land income fund,” for the sup-

port and maintenance of the state university at Laramie, the same to be paid by the state treasurer to the treasurer of the board of trustees of the state university upon the warrant of the state auditor to be issued upon request of said board of trustees.

Sixth—The “state charitable, educational, penal and reformatory institutions land income fund,” for the custody, support and maintenance of state convicts and persons confined at the expense of the state in reformatory institutions within or without the state.

Seventh—The “penal, reformatory or educational institution in Carbon county land income fund,” for and toward the completion, furnishing and maintenance of the penitentiary at Rawlins, in Carbon county.

Eighth—The “miners’ hospital land income fund,” for the support and maintenance of the Wyoming general hospital, at Rock Springs.

Ninth—The “public building at the capital land income fund,” for the care, repair, maintenance and furnishing of the capitol building.

Tenth—The “poor farm in Fremont county land income fund,” for the care, repair, maintenance and improvement of the poor farm in Fremont county.

On the fifteenth day of January, nineteen hundred and one, and on the 15th day of January of each second year thereafter, it shall be the duty of the state treasurer to make a report to the governor and to the senate and house of representatives, showing the amount of money in each of said land income funds on that date. [S. L. 1897, Ch. 30.]

CHAPTER 106, SESSION LAWS OF 1911.

City or Town.

Sec. 1. That it shall be unlawful for any city or town council, or other officer or officers authorized or whose duty it shall be under the laws of the state, to direct, fix or make any tax levy for city or town purposes on the assessed valuation of all taxable property within the corporate limits of their respective cities or towns, to hereafter direct, fix or make any such tax levy which will produce a sum of money increasing by more than two per cent the total produced within their respective jurisdictions by the tax levied for town or city purposes for the preceding year. Provided, however, That if, in any city or town, it shall be found to be unnecessary in any year to raise any revenue for city or town purposes by direct taxation, no levy shall be made for such purposes, and in that

case the limitation in this section provided shall thereafter relate back to the last preceding year in which a levy was made; and provided, further, that the qualified electors of any city or town may, by direct vote at any general or special election held as provided by law in such city or town authorize for one year a further increase in the levy above the two per cent increase specified in this section, but thereafter the additional sums raised by such specially authorized levy shall not be taken into account in computing the authorized two per cent annual increase in the levy.

County Commissioners Limit.

Sec. 2. The power of the board of county commissioners of each of the several counties to fix rates of levy annually by means of which to create a fund out of which to meet and defray the current expenses of the county is hereby limited as follows:

Assessed Valuation Limit.

Sec. 3. In any county which has an assessed valuation for the current tax year of four millions of dollars or less, the levy shall not exceed seven mills on the dollar of such valuation; and in any county which has an assessed valuation for the current tax year of five millions of dollars and not less than four millions of dollars the levy shall not exceed six and one-half mills on the dollar of such valuation.

Method of Estimating.

Sec. 4. In any county which has an assessed valuation for the current tax year of more than five million dollars and not in excess of twenty million dollars, the maximum levy shall be determined by reducing the levy of six and one-half mills allowed upon a valuation of five millions dollars one-tenth of one mill for each one million dollars in excess of five million dollars, and any rate of levy so determined shall be the maximum rate of levy for all assessed valuations which are fractions of the next higher one million dollars of valuation.

The Same.

Sec. 5. In any county which has an assessed valuation for the current tax year of more than twenty million dollars, the maximum levy shall be determined by reducing the levy of four and one-half mills allowed upon a valuation of twenty million dollars one one-hundredth of one mill for each one million dollars in excess of twenty million dollars, and any rate of levy so determined shall be the maximum rate of levy for all assessed valuations which are fractions of the next higher one million dollars of valuation.

Detail Illustration.

Sec. 6. The limitations of the county current expense tax levies as prescribed and fixed in sections three, four, five and six of this act are illustrated in detail, as follows:

The maximum levy for valuation less than \$6,000,000 shall be 6.5 mills.

The maximum levy for valuations of \$6,000,000 and less than \$7,000,000 shall be 6.4 mills.

The maximum levy for valuations of \$7,000,000 and less than \$8,000,000 shall be 6.3 mills.

The maximum levy for valuations of \$8,000,000 and less than \$9,000,000 shall be 6.2 mills.

The maximum levy for valuations of \$9,000,000 and less than \$10,000,000 shall be 6.1 mills.

The maximum levy for valuations of \$10,000,000 and less than \$11,000,000 shall be 6 mills.

The maximum levy for valuation of \$11,000,000 and less than \$12,000,000 shall be 5.9 mills.

The maximum levy for valuations of \$12,000,000 and less than \$13,000,000 shall be 5.8 mills.

The maximum levy for valuations of \$13,000,000 and less than \$14,000,000 shall be 5.7 mills.

The maximum levy for valuations of \$14,000,000 and less than \$15,000,000 shall be 5.6 mills.

The maximum levy for valuations of \$15,000,000 and less than \$16,000,000 shall be 5.5 mills.

The maximum levy for valuations of \$16,000,000 and less than \$17,000,000 shall be 5.4 mills.

The maximum levy for valuations of \$17,000,000 and less than \$18,000,000 shall be 5.3 mills.

The maximum levy for valuations of \$18,000,000 and less than \$19,000,000 shall be 5.2 mills.

The maximum levy for valuations of \$19,000,000 and less than \$20,000,000 shall be 5.1 mills.

The maximum levy for valuations of \$20,000,000 and less than \$21,000,000 shall be 4.50 mills.

The maximum levy for valuations of \$21,000,000 and less than \$22,000,000 shall be 4.49 mills.

The maximum levy for valuations of \$22,000,000 and less than \$23,000,000 shall be 4.48 mills.

The maximum levy for valuations of \$23,000,000 and less than \$24,000,000 shall be 4.47 mills.

The maximum levy for valuations of \$24,000,000 and less than \$25,000,000 shall be 4.46 mills.

The maximum levy for valuations of \$25,000,000 and less than \$26,000,000 shall be 4.45 mills.

The maximum levy for valuations of \$26,000,000 and less than \$27,000,000 shall be 4.44 mills.

The maximum levy for valuations of \$27,000,000 and less than \$28,000,000 shall be 4.43 mills.

The maximum levy for valuations of \$28,000,000 and less than \$29,000,000 shall be 4.42 mills.

The maximum levy for valuations of \$29,000,000 and less than \$30,000,000 shall be 4.41 mills.

The maximum levy for valuations of \$30,000,000 and less than \$31,000,000 shall be 4.40 mills.

The maximum levy for valuations of \$31,000,000 and less than \$32,000,000 shall be 4.39 mills.

The maximum levy for valuations of \$32,000,000 and less than \$33,000,000 shall be 4.38 mills.

The maximum levy for valuations of \$33,000,000 and less than \$34,000,000 shall be 4.37 mills.

The maximum levy for valuations of \$34,000,000 and less than \$35,000,000 shall be 4.36 mills.

The maximum levy for valuations of \$35,000,000 and less than \$36,000,000 shall be 4.35 mills.

Provided, That if in any county it shall be shown by the board of county commissioners of such county that the levy authorized by this act would not be sufficient to pay the current expenses of such county, or to liquidate its floating indebtedness, the board of county commissioners of such county may apply to the state board of equalization for authority to make a larger levy for the current year and such board of equalization shall give such authority. This proviso shall apply to the years 1911, 1912 and 1913 only. Provided, always, That the board of county commissioners in each and every county of this state shall not expend in any one year, out of the revenue raised for county current expenses, a sum amounting to more than one-fifth of such revenue for the support of the poor and lunatic purposes, and shall not expend for road and bridge purposes in any one year a sum amounting to more than one-half of the revenue raised for said county current expenses; and provided, further, that the qualified electors of any county may, by direct vote at any general or special election held as provided by law in such county, authorize for one year an increase, not exceeding two mills on the dollar valuation, in the levy for county current expenses, over and above the maximum levy for such purpose in this act provided, and if so authorized then the county board may make such increased levy for the year voted upon, and thereafter the limitation of this act shall apply unless an increased levy for a particular year shall be voted at another election in like manner.

County Library Tax Limit.

Sec. 8. The authority of the board of county commissioners of each county to levy annually a county library tax, is hereby limited so that the board shall not levy in excess of one-fourth of one mill on the dollar upon all taxable property in the county.

School District Limit.

Sec. 9. The authority of the qualified electors of any school district at the annual meeting, to vote a tax for school purposes, is hereby limited to the extent that no tax shall be voted for such purposes which shall be in excess of three and one-half mills upon the dollar of all the taxable property of any such school district. Provided, That in no event shall any school district levy any greater tax than is reasonably necessary for the ensuing school year; and provided, further, that the question of an increased levy above the limitation hereinbefore specified may be submitted by the district board of any school district to the electors of the district at the annual meeting or election, and if so submitted due notice thereof shall be given for at least thirty days in advance of such election or meeting by posting written or printed notices upon the front door of each and every school house in the district, in at least three additional public places in the district, and said notice shall state the proposed increase in the levy, which increase shall not in any case amount to more than five mills on the dollar valuation of all the taxable property of the district, making the aggregate levy not to exceed eight and one-half mills. If fifty-one per cent of the votes cast at such election or meeting shall be in favor of the increased levy, as named in said election notice, then the officers charged with levying taxes may make such increased levy for the year voted upon, and thereafter, the limitation of this act shall apply, unless an increased levy for a particular year shall be voted at another election in like manner; and in all cases where an increased levy is voted the school district clerk shall forward to the county clerk and the county superintendent, with his certificate of the school district levy, his affidavit showing that all of the notices herein required to be posted were in fact duly posted at least thirty days in advance of the election, and shall also forward a report showing the number of votes cast for and against the proposition for an increased levy.

Bonded Debt.

Sec. 10. This act shall in no way limit the amount of any levy necessary to be made for the purpose of paying any bonded debt, judgment or the interest thereon, against any county, city, town or school district.

Excess Levy Unlawful—Duty of Assessor.

Sec. 11. Any levy which may be certified to the county clerk in excess of the limitations fixed by this act shall be unlawful, and in any such case, it shall be unlawful for the county clerk or county assessor of any county within the state to enter upon the tax roll of the county any such excessive levy; and in case of any such excess in any levy it is hereby made the duty of the county assessor to reduce such levy and to extend upon the tax roll only such part thereof as will comply with the provisions of this act.

Misdemeanor.

Sec. 12. Any member of any board, or any other officer who shall violate any of the provisions of this act, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than one hundred dollars or more than five hundred dollars and shall also be subject to removal from office by a civil action prosecuted by any tax payer.

Repeal.

Sec. 13. Sections 2341 and 2342 of the Wyoming Compiled Statutes of 1910 and all acts or parts of acts in conflict with this act are hereby repealed.

Sec. 14. This act shall take effect and be in force from and after its passage.

Approved March 2nd, 1911.

DEPOSIT OF PUBLIC MONEY.**Officers Deposit Monthly.**

Sec. 2486. Every state officer, employee, department, or commission receiving money, for or on behalf of the state, from any source, shall on or before the first Monday of each month pay to the state treasurer all such money, received during the preceding month, and on the same date shall file a detailed verified statement of such receipts with the state auditor and a true copy thereof with the state examiner. [S. L. 1907, Ch. 30, Sec. 1.]

State Board of Deposits.

Sec. 2487. There is hereby created a board of deposits consisting of the governor, state treasurer and secretary of state, and said officers are hereby required to perform the duties herein prescribed, as members of said board of deposits, without any extra or additional compensation. The governor of the state shall be chairman of said board, and the state treasurer, secretary thereof. The records of said board kept

by said secretary, or a duly certified copy thereof, shall be prima facie evidence of the matter appearing therein in any court in the United States. It shall be the duty of said board of deposits to meet on the first Monday of April of each year, or at any other time, upon the call of the chairman, and designate such banks within this state, as it may, under the provisions of this chapter, deem eligible to be made state depositories for the purpose of receiving on deposit funds of this state. [S. L. 1907, Ch. 30, Sec. 2.]

Designation of Depositories.

Sec. 2488. All banks, applying to be made state depositories under the provisions of this chapter, shall, on or before the first Monday in April of each year, file their application, in writing, with the secretary of the said board of deposits, said application to be accompanied by a sworn statement of the financial condition of said bank at the time the application is made. The board of deposits at its meeting shall pass upon all applications made in compliance with this chapter, and shall, over the signatures of the members of said board, or a majority thereof, endorse on said application their approval or rejection. Any and all banks whose applications may be endorsed with the approval of the board as aforesaid, shall be deemed eligible to be made state depositories under the provisions of this chapter. [S. L. 1907, Ch. 30, Sec. 3.]

Deposits by Treasurer.

Sec. 2489. The state treasurer may deposit any portion of the public moneys in his possession in such national banks within this state, or in any state banks incorporated under the laws of and doing business in this state, as shall have been approved under the provisions of this chapter by the board of deposits as herein provided; but the said treasurer shall not have on deposit in any bank of public funds more than one-half of its paid in and unimpaired capital stock and surplus at any one time. [S. L. 1907, Ch. 30, Sec. 4.]

Interest and Security.

Sec. 2490. For the security of funds so deposited under the provisions of this chapter, the state treasurer shall require all such depositories to deposit securities of the kind and character hereinafter described, or to give bonds in some responsible surety company authorized to do business in this state, extend upon the tax role only such portion thereof as will for the payment of such deposits and interest thereon. Said bonds, when given, shall run to the state of Wyoming, and, together with the securities offered, shall be approved by the

said board of deposits. Said bonds shall be conditioned, that the depositories shall on or before the tenth day of each month render to the state treasurer, and state auditor, a statement in duplicate, showing the daily balance of state funds, and the amount of money of the state held by it during the month preceding, and the amount of the interest accrued thereon, and for the payment of the said deposit and the interest thereon, as herein provided, when demanded by the state treasurer, or his authorized deputy on his check, order or demand at any time, and generally to do and perform whatever may be required by the provisions of this chapter, for a faithful discharge of the trust reposed in such depository. Said bonds shall contain the further obligation to settle with and pay to the state treasurer, for the use of this state, interest upon daily balances on said deposits, at the rate fixed by said board of deposits, payable quarterly, on the first Monday in January, April, July and October in each year, or at any time when the account may be closed. Said bond shall be in substance as follows:

Know All Men by These Present: That we, ..., as principal, and, as surety, are held and firmly bound unto the State of Wyoming in the just and full sum of dollars, for the payment of which, well and truly to be made, we bind ourselves, and our successors and assigns, jointly and severally by these presents.

Dated this day of, A. D.

The condition of the foregoing is such that, Whereas, the said bank, in consideration of the deposit of certain moneys of the State of Wyoming for safe keeping in bank of, the amount whereof shall be subject to withdrawal or diminution by the state treasurer of said state as the requirements of the said state shall demand, and which amount may be increased or decreased as the said treasurer may determine, and, Whereas, The said bank, in consideration of said deposits, and for the privilege of keeping the same, has agreed to pay and will pay to the State of Wyoming interest on account of said deposit at the rate fixed by the board of deposits of the said state, to-wit; Interest at the rate of per centum per annum, the same to be paid quarterly on the first days of January, April, July and October in each year upon the daily average balance of the deposit of state funds in the said bank, for the quarter or any fraction thereof next preceding the payment of said per centum, which shall be computed and credited to the account of the state, and shall become a part thereof.

Now, Therefore, If the said bank of shall on or before the tenth day of each month render to the state treasurer and state auditor of said state a statement in

duplicate, showing the daily balance of the state moneys held by it during the month next preceding, and the interest thereon, subject at all times to the check, order or demand of the state treasurer, or his authorized deputy, as aforesaid, and shall pay over the same, and any part thereof; upon the check, order or demand of the state treasurer, or his authorized deputy, and shall calculate, credit and pay said interest as aforesaid, in the amount and manner aforesaid, and shall in all respects save and keep the state of Wyoming and the state treasurer, or his successor in office, safe and harmless for and by reason of the making of said deposit, or deposits, then this obligation shall be void and of no effect, otherwise to be and to remain in full force and virtue.

It being the further condition of the above, however, that said surety shall have the right to terminate its obligation hereunder upon giving notice in writing to the governor and state treasurer of said state of its election so to do, and such termination shall take effect at the expiration of thirty days from receipt of said notice by said governor and state treasurer.

Witness our hands and seals, the day and year first above written.

..... (Seal)
 (Seal)

In addition to the other limitations herein provided, the said treasurer shall not have on deposit in any bank, at any time, more than ninety per cent of the amount of the bond given by said bank, and the bonds shall be deposited with and held by the state treasurer. [S. L. 1907, Ch. 30, Sec. 5.]

Collateral Security.

Sec. 2491. Any such depository may, instead of such bond in an approved surety company, furnish, as security for such deposit, or deposits, United States government bonds, or state bonds of this state, county, city or school district bonds or warrants issued by virtue of the laws of this state, worth not less than their par value, and in an amount equal, at least, to the maximum amount of money at any time to be deposited with such bank; Provided, however, That for temporary deposits in excess of the amount for which such bank may bond as provided by this chapter, such depository or bank may deposit local securities having an appraised value of at least twenty-five per cent more than the amount of such temporary deposits; the said securities to be approved by said board of deposits and to be accompanied by a written assignment vesting the legal title thereto in the state of Wyoming, as collateral security, that such depository, so depositing and assigning said securities, shall and will safely keep and pay over to the state

treasurer, or his authorized deputy, on his check, order or demand, all money which may come into the possession of such depository, under and by virtue of the provisions of this chapter, together with all interest accruing thereon as herein provided, and providing, that in case of default on the part of such depository, the said state shall have full power and authority, to sell, in the manner hereinafter provided, said securities or so much thereof as may be necessary to realize the full amount of the funds of the state so deposited in said depository, together with the interest thereon. The interest on such bonds, so deposited and furnished, shall, when paid, be turned over to the bank so depositing the same, as long as it is not in default. [Amended Chapter 94, Session Laws, 1909.]

Annual Interest Rate.

Sec. 2492. The said board of deposits shall annually, on the first Monday in April of each year, or as soon thereafter as possible, taking into consideration all information before it, fix the rate of interest to be paid on the deposits herein provided for, which shall not be less than two per centum per annum, nor more than four per centum per annum, and which said rate shall be and go into effect on the first day of May following, and which rate shall not be changed for a period of one year. [S. L. 1907, Ch. 30, Sec. 7.]

Daily Balance Computations.

Sec. 2493. The amount to be paid by any and all banks, under the provisions of this chapter, for interest on such public funds on deposit, shall be computed on the average daily balance of public moneys kept on deposit therewith, and shall be paid to the state treasurer quarterly, on the first Monday in January, April, July and October of each year, and said banks shall quarterly, on the first Monday of January, April, July and October of each year, render a statement in duplicate to the state treasurer and state auditor, showing the amount so paid. The state treasurer shall require, and it is hereby made the duty of every such depository to keep accurate accounts of all moneys deposited with it, showing the amount deposited and when deposited, and to render on or before the tenth day of each and every month, to the state treasurer and state auditor a statement in duplicate showing the daily balances of the state moneys held by it during the month next preceding, and the interest thereon; and all sums paid to the state for interest as aforesaid shall be credited by the treasurer to the account of the several funds from which it was derived. [S. L. 1907, Ch. 30, Sec. 8.]

Withdrawals.

Sec. 2494. Nothing in this chapter shall be held to prevent the state treasurer or his authorized deputy from withdrawing any and all of said funds so deposited, for the purpose of paying the appropriations and obligations of the state and paying the same out as lawfully required, nor shall anything in this chapter prevent the state treasurer or his authorized deputy from withdrawing any or all of said funds so deposited, whenever he deems it advisable or to the interests of the state to do so. The state treasurer, and his sureties, shall be responsible for the faithful performance of the duties of said treasurer under the law, and for a proper accounting and turning over to his successor of all moneys paid to said treasurer as such; but he shall not be held personally liable for any moneys that may be lost by reason of the failure or insolvency of any bank selected as a depository under the provisions of this chapter, nor for the deficiency or loss upon any bond, or securities deposited by any bank, if the said bond or securities so deposited have been approved by the board of deposits; Provided, however, That if such loss could have been avoided by the exercise of reasonable care and diligence on the part of said treasurer or his deputy, then and in such case the said treasurer shall be liable to the state for such loss; but nothing in this section contained shall be construed as relieving from any liability any bond given or any collateral deposited under the provisions of this chapter. [S. L. 1907, Ch. 30, Sec. 9.]

Funds Not Deposited.

Sec. 2495. Whenever any state funds remain on hand which cannot be placed in the banks of this state under the provisions of this chapter, then the state treasurer shall immediately notify the chairman of said board of deposits, which said board shall immediately thereupon hold a meeting, and, if possible, secure other banks in the state to hold said funds under the provisions of this chapter. During the time that funds cannot be deposited in the banks entitled thereto under the provisions of this chapter, the state treasurer shall hold said funds in safe keeping, and in that case he and his sureties on his bond shall be responsible for the safe keeping of such money and turning the same over to his successor. [S. L. 1907, Ch. 30, Sec. 10.]

Sale of Collateral.

Sec. 2496. The state treasurer is hereby authorized and empowered to sell any or all bonds that may be deposited as collateral security for the deposit of any state fund in any depository under this chapter, at a public or private sale, when-

ever there shall be a failure or refusal upon the part of any bank, as a state depository, to pay over the funds, or any part thereof, upon the demand or order of the state treasurer, or his authorized deputy, on such bank. Notice of the sale of bonds under this chapter shall be given by publication in a newspaper published at the capital of Wyoming, once each week for five consecutive weeks, and when a sale of bonds is made by the said state treasurer, either at public or private sale under this chapter, and such bonds have been transferred by the chairman and secretary of the said board of deposits, the absolute ownership of such bonds shall vest in the purchaser or purchasers, upon the payment of the purchase money to the state treasurer. Should there be any surplus after paying the amount due the state and expenses of sale, it shall be paid to the bank which made the deposit of such securities. [S. L. 1907, Ch. 30, Sec. 11.]

Recovery on Bonds.

Sec. 2497. It shall be the duty of the attorney general of the state to enter and prosecute, in the name of the state, to final determination, all suits for the recovery of any penalty arising under the conditions of any bond given, or required to be given under the provisions of this chapter to the state of Wyoming. [S. L. 1909, Ch. 30, Sec. 12.]

Investment Permanent Funds.

Sec. 2498. Nothing in this chapter shall be construed to prevent the proper state authorities from investing as provided by law any of the permanent funds of this state. [S. L. 1907, Ch. 30, Sec. 14.]

County, City and School Funds.

Sec. 2499. Under this chapter the term "proper governing board" shall be held to mean when applied to the deposit of county funds "the board of county commissioners" of such county; when applied to the deposit of funds of a city or town, the mayor and council or the mayor and trustees, as the case may be, of such city or town, and when applied to the deposit of school district funds, the board of directors or trustees of such school district. [S. L. 1907, Ch. 30, Sec. 15.]

Deposits—City, County, Town and School District Treasurers.

Sec. 2500. Every county treasurer, city treasurer, town trustees and treasurer of a school district, within the state of Wyoming, shall deposit, and at all times keep on deposit for safe keeping, in banks, incorporated under the laws of this state and in national banks, doing business in his county, when designated as depositories by the proper governing

board, the amount of moneys in his hands collected and held by him as such treasurer. Any such bank, located in such county, may apply for the privilege of keeping such moneys upon the following conditions: All such deposits shall be subject to payment when demanded by the proper treasurer on his check, order or demand, and by all banks, receiving and holding such deposits, interest shall be paid at a rate not less than two per cent per annum nor more than four per cent per annum, as may be determined by the proper governing board upon the amount so deposited, as hereinafter provided, and subject also to such regulations as are imposed by law. [S. L. 1907, Ch. 30, Sec. 16.]

Depositories—Interest.

Sec. 2501. Such applications by such banks, shall be submitted to the proper governing board on or before the first Monday of April of each year, and shall be acted upon by the proper governing board on the said first Monday of April of each year, or as soon thereafter as practicable, and said board shall also at said time fix the rate of interest, which said rate shall go into effect on May 1st following and shall not be changed for one year, and no moneys shall be deposited by any such treasurer except in such banks as have been approved by the proper governing board. [S. L. 1907, Ch. 30, Sec. 17.]

How Interest Computed.

Sec. 2502. The amount to be paid by any and all banks under the provisions of this chapter for interest on public funds on deposit shall be computed on the average daily balance of the public moneys kept on deposit therewith, and shall be paid and credited to the proper county, city, town, or school district on the first day of January, April, July and October of each year; and every such bank shall keep account of such public moneys as may be deposited, and when deposited, and the interest thereon as aforesaid, and shall make a statement thereof, in duplicate, to the proper treasurer, and the proper governing board, on the first Monday of January, April, July and October of each year and all interest paid on said public moneys shall be credited by the proper treasurer to the account of the several funds from which it is derived. [S. L. 1907, Ch. 30, Sec. 18.]

Security Required.

Sec. 2503. For the security of the funds so deposited under the provisions of this chapter, the proper treasurer shall require all such depositories to give bonds for the safe keeping and payment of such deposits and the interest thereon, which bond shall run to the proper county, city, town or school dis-

trict, and be approved by the proper governing board of such county, city, town or school district, and conditioned that such depository shall, on the first Monday of each January, April, July and October of each year, render to the proper treasurer, and the proper governing board of the county, city, town or school district, a statement in duplicate, showing the several daily balances, and the amount of public moneys held by it during the preceding three months, and the amount of the interest thereon, and how credited, and for the payment of the said deposits, and the interest accrued thereon, as herein provided, and when demanded by the proper treasurer on his check, order or demand at any time, and generally to do and perform whatever may be required by the provisions of this chapter, and a faithful discharge of the trust reposed in such depository. The said bond in substance shall be similar, or as near as may be, to the bonds required of state depositories, and when the penalty thereof exceeds the sum of five thousand dollars, such bond shall be furnished by some responsible surety company authorized to do business in this state. No county, municipal or school district treasurer shall have on deposit in any bank at any one time more than one-half of the penal amount named in its said bond in all cases where private bonds are furnished, nor more than ninety per cent of the amount of all other bonds, nor more than one-half of the paid up capital stock and unimpaired capital stock and surplus of such bank. The bonds shall be deposited with the clerk of the county, city, town or school district to which said bond may be given. Where there are no banks in the county, or where the banks in the proper county refuse or fail to bid on said money, or refuse or fail to receive the said funds under the provisions of this chapter, then part or all of said money may be deposited under the conditions of this act, in any other bank in the state, selected by the proper governing board of the county, city, town or school district, as the case may be. [S. L. 1907, Ch. 30, Sec. 19.]

Collateral Security.

Sec. 2504. Instead of the bonds provided for in Section 2503, the bank or banks receiving on deposit public funds may, as security therefor, furnish to the proper treasurer of any county, municipality or school district, securities of the kind mentioned in Section 2491, to be approved by the proper governing board and the provisions of this chapter, applicable to such securities when furnished by state depositories, shall be applicable, as near as may be, to such securities when furnished to the treasurer of any county, municipality or school district. [S. L. 1907, Ch. 30, Sec. 20.]

Funds Not Deposited.

Sec. 2505. Whenever funds remain on hand which cannot be placed in the banks of the respective counties of this state under the provisions of this chapter, then the proper treasurer shall immediately notify the chairman of the proper governing board, which said board shall immediately thereupon hold a meeting and, if possible, secure other banks in the state to hold said funds under the provisions of this chapter. During the time that funds cannot be deposited in the banks entitled thereto under the provisions of this chapter, the proper treasurer shall hold said deposits in safe keeping, and shall be liable on his official bond for such funds so held. [S. L. 1907, Ch. 30, Sec. 21.]

Treasurer's Liability.

Sec. 2506. No county, city, town or school district treasurer shall be liable on his official bond for money on deposit in any bank under and by direction of the proper legal authority and in conformity to the provisions of this chapter if said bank has given bond which has been approved as herein provided, except in cases where any loss could have been prevented by the exercise of reasonable care on the part of such treasurer. Nothing in this section contained shall be construed as relieving from any liability any bond given or any collateral deposited under the provisions of this chapter. Nor shall anything in this chapter prevent the proper treasurer from withdrawing any or all funds by him deposited in accordance with this chapter, whenever he deems it advisable or to the interests of the public which he represents, or to pay out money as by law required. [S. L. 1907, Ch. 30, Sec. 22.]

Profit Making Prohibited.

Sec. 2507. The making of profit, directly or indirectly, by any state treasurer, or by the treasurer of any county, city, town or school district, or by any other public officer or employee having in his custody or under his control any public moneys, by loaning such moneys or by depositing the same contrary to the provisions of this chapter or the using of such moneys by any of said public officers or employees for any purpose not authorized by law, shall be deemed a felony and are hereby prohibited, and any of said public officers or employees who shall violate any of the foregoing provisions of this section shall, on conviction, be punished by imprisonment in the state penitentiary for a term not exceeding two years or by a fine not exceeding five thousand dollars, or by both such fine and imprisonment. [S. L. 1907, Ch. 30, Sec. 23.]

Bribes—Penalty.

Sec. 2508. The offering or giving, directly or indirectly, by any person to any public officer or employee having in his custody or under his control any public moneys of any gift, compensation, reward or inducement for the purpose of inducing any such public officer or employee to deposit such public moneys in any bank or to use the same in any manner not authorized by law, shall be deemed a felony and is hereby prohibited, and any person violating any of the provisions of this section shall, on conviction, be punished by imprisonment in the penitentiary for a term not exceeding two years or by a fine not exceeding five thousand dollars, or by both such fine and imprisonment. [S. L. 1907, Ch. 30, Sec. 24.]

PROTECTION OF BIRDS.**Unlawful to Kill—Penalty.**

Sec. 2788. Any person who shall, within the state of Wyoming, kill or catch or have in his or her possession, living or dead, any wild bird other than a game bird, or who shall purchase, offer or expose for sale any such wild bird after it has been killed or caught, shall for each offense, be subject to a fine of not more than five dollars for each such bird killed or caught, or had in possession, living or dead, or imprisonment for not more than ten days, or both, at the discretion of the court. For the purposes of this chapter the following only shall be considered game birds: The Anatidae, commonly known as swans, geese, brant and river and lake ducks; the Rallidae, commonly known as rails, coots and mud-hens; the Limicolae, commonly known as shore-birds, plovers, snipe, sandpipers, tattlers, willets, curlews, godwits and avocets; the Gallinaw, commonly known as grouse, prairie chickens, pheasants, sage hens, partidges and quails. [S. L. 1901, Ch. 37, Sec. 1.]

Destruction of Eggs—Penalty.

Sec. 2789. Any person who shall, within the state of Wyoming, take or needlessly destroy the nest or the eggs of any wild bird, or shall have such nest or eggs in his or her possession, shall be subject for each offense to a fine of not more than five dollars, or imprisonment for not more than ten days, or both, at the discretion of the court. [S. L. 1901, Ch. 37, Sec. 2.]

Scientific Use Permitted.

Sec. 2790. Sections 2788 and 2789 shall not apply to any person holding a certificate giving the right to take birds, their

nests and eggs, for scientific purposes, as provided for in Section 2791. [S. L. 1901, Ch. 37, Sec. 3.]

Certificates—Bond.

Sec. 2791. Certificates may be granted by the superintendent of public instruction to any properly accredited person of the age of fifteen years or upwards, permitting the holder thereof to collect birds, their nests or eggs, for strictly scientific purposes only. No such certificate shall be issued until the applicant therefor shall have filed with the said superintendent of public instruction written testimonials from two well known scientific men or educators, certifying to the good character and fitness of said applicant to be entrusted with such privilege. Said applicant must file with said persons or officers a properly executed bond, in the sum of two hundred dollars, signed by two responsible citizens of the state as sureties. This bond shall be forfeited to the state, and the certificate become void, upon proof that the holder of such certificate has killed any birds, or taken the nest or eggs of any bird, for other than the purposes named in Sections 2790 and 2791, and shall be further subject for each offense to the penalties provided therefor in Sections 2788 and 2789. [S. L. 1901, Ch. 37, Sec. 4.]

Term of Certificate.

Sec. 2792. The certificate authorized by this act shall be in force for one year only from the date of its issue, and shall not be transferable. [S. L. 1901, Ch. 37, Sec. 5.]

Birds Not Protected.

Sec. 2793. The following named birds shall be exempt from protection under the provisions of this chapter, viz: English sparrow, magpie, sharp-shinned hawk, Cooper's hawk, goshawk, duck hawk, gold or brown eagle, kingfisher and blue heron. [S. L. 1901, Ch. 37, Sec. 6; S. L. 1909, Ch. 79.]

BOARD OF HEALTH.

Vaccination.

Sec. 2940. The state board of health may adopt such measures for the general vaccination of the inhabitants of any city, town, or county in the state, as they shall deem proper and necessary to prevent the introduction or arrest the progress of smallpox; and every person who shall refuse to be vaccinated, or prevent any person under his care and control from being vaccinated, or who shall fail to present himself or herself to the county health officer or a practicing physician acting under the direction of the board or county health

officer, for the purpose of being vaccinated, if such physician believes vaccination necessary, shall upon conviction be fined not more than one hundred dollars nor less than ten dollars, or imprisoned in the county jail not more than thirty days. [S. L. 1901, Ch. 55, Sec. 13.]

INTEREST AND USURY.

When Rate Not Effective.

Sec. 3364. The rate of interest fixed by this chapter shall not affect interest on purchase of school, university and agricultural lands, or on lands delinquent, or sold for the non-payment of taxes; or the rates of interest on warrants issued any county, city, town, village or school district, but they and by the proper authorities of the state, county, city, town, village or other municipal subdivision, or any bonds issued by each of them shall draw interest and be payable in the manner now, or that may hereafter be fixed by law. [S. L. 1895, Ch. 30, Sec. 10.]

Interest on Public Warrants.

Sec. 3365. All state, county, school district, town, city, or other public warrants issued after June 1st, eighteen hundred and ninety, for any salary or salaries, fee or fees, or for or on account of any public indebtedness, claim or demand, whatever, which indebtedness, claim or demand shall have accrued on any public contract, transaction, or liability, entered into or arising after the 1st day of June, eighteen hundred and ninety, shall draw interest upon the amount expressed in such warrant or warrants at the rate of six per centum per annum from the date of the presentation thereof for payment at the treasury or other place where the same may be payable, until there is money in the treasury for the payment thereof, and it shall be unlawful to allow or pay any rate of interest upon such warrant or warrants, except as herein specified and expressed, and every state or county treasurer or municipal officer duly authorized to act as treasurer, to whom such warrant or order is presented for payment, provided he has not sufficient funds in the treasury to pay the same, shall endorse thereon the words "not paid, for want of funds," and sign and date the same officially. [S. L. 1890, Ch. 22.]

LEGAL HOLIDAYS.

Legal Holidays.

Sec. 3581. The 1st day of January, the 12th day of February, the 22d day of February, the 30th day of May, the 4th day of July, the day that may be appointed by the president of the

United States as the annual Thanksgiving day, the 25th day of December of each and every year, all days upon which general elections are held and Arbor day, are hereby declared legal holidays in and for the state of Wyoming. If the 1st day of January, the 12th day of February, the 22d day of February, the 30th day of May, the 4th day of July or the 25th day of December, fall upon a Sunday, the Monday following shall be a legal holiday. [S. L. 1901, Ch. 93.]

Note—Labor day is a national holiday.

Arbor Day.

Sec. 3582. The governor shall annually, in the spring, designate by official proclamation, an arbor day, to be observed by the schools and for economic tree planting. [R. S. 1899, Ch. 2697.]

MISCELLANEOUS.

Public Officers Subject to Garnishment.

Sec. 4997. All state, county, city, town and school district officers shall be liable and subject to garnishment in civil actions on debts hereafter contracted, in the same manner, and for the same causes as private individuals now are, or hereafter may be liable and subject to garnishment under the laws of this state. [S. L. 1909, Ch. 140, Sec. 1.]

Disposition of Fines.

Sec. 6116. If a fine be imposed and paid before commitment, it shall be received by the justice and by him paid over to the county treasurer, within thirty days after the receipt thereof, for the use of the schools in the county. [R. S. 1887, Sec. 3651.]

Payment of Fine After Commitment.

Sec. 6117. If the defendant be committed for not paying a fine, he may pay it to the sheriff of the county, or to the justice by whom the commitment was made, but to no other person; who must in like manner, within thirty days after the receipt thereof, pay it into the county treasury for the use of the schools in the county. [R. S. 1887, Sec. 3652.]

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